

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA No.2139 of 2016 (O&M)

Date of Decision : 01.09.2017

Pavittar Singh

....Appellant

Versus

Financial Commissioner, Revenue, Punjab
and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI

...

Present: Mr.Vijay Lath, Advocate
for the appellant.

...

MAHESH GROVER, J. (Oral)

CM-4438-LPA-2016

Delay of 78 days in re-filing the appeal is condoned
for the reasons mentioned in the application.

C.M.stands allowed.

LPA No.2139 of 2016

This appeal is directed against the judgment of the
learned Single Judge dated 08.04.2016.

The matter pertains to partition amongst co-sharers
and it has been observed that once the mode of partition stood
approved without there being any challenge to it, it could not
have been reopened by the Asstt.Collector Ist Grade as has been
done in the instant case. We would be in complete agreement

with this observation. The appellant has been unable to show that any prejudice has been caused to him. The house which he claims to be on his land and constructed by him has been given to him subject to the rights of other parties. The plea of the appellant is that possession from the land which he has developed is likely to be disturbed, carries no weight as these are issues of facts which ought to be raised before the Asstt. Collector Ist Grade at the time of acceptance of mode of partition.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

01.09.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No