

LPA no. 1361 of 2017 (O&M) 1

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

LPA no. 1361 of 2017 (O&M)

Date of Decision : 31.07.2017

Jai Prakash and others

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present : Mr.Harish Mehla, Advocate for the appellants

MAHESH GROVER, J.(ORAL)

This appeal is directed against the judgment of the learned Single Judge dated 18.7.2017. The impugned orders emanated from partition proceedings. Learned Financial Commissioner whose orders was challenged under the writ petition noticed that the Sanad Taqsim was sanctioned on 13.10.2014 and yet the Collector passed the order on 11.11.2014 in proceedings relating to interim order dated 31.8.2014 (against Naksha- Be). Evidently the fact of the Sanad Taqsim having come into existence on 13.10.2014 though to the notice of the parties was not brought to the notice of the Collector. We, therefore, do not intend giving any weight-age to the order of the Collector on which appellant places reliance to derive benefit, particularly, when we notice from the order of the Financial Commissioner that the order of sanctioning of Sanad Taqsim was placed at page-383. It also noticed the mis-conduct of the counsel which

proceedings before the Collector and the order of November, 2014 which the appellant read in his favour, was a result of concealment of facts. It is a settled law that when Sanad Taqsim comes into existence, the partition is complete and cannot be reopened. We, therefore, are in complete agreement with the findings of the learned Single Judge and thus decline interference. Hence, instant appeal is hereby dismissed.

(Mahesh Grover)
Judge

31.07.2017	
rekha	
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

(Raj Shekhar Attri)
Judge