

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

129

Civil Writ Petition No.16135 of 2018
Date of Decision: July 6th, 2018

Bohar Singh

...Petitioner

Versus

Financial Commissioner Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.C. Arora, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this petition is to the order dated 28.03.2018 (Annexure P-1) passed by the Financial Commissioner, Punjab, on a revision petition preferred by respondent No.2, which revision petition has been allowed and the case has been remanded back to the Assistant Collector 1st Grade, Sri Muktsar Sahib, to finalise the partition proceedings by following proper procedure as prescribed under the Punjab Land Revenue Act, 1887.

2. It is the contention of learned counsel for the petitioner that when naqsha arra was prepared, parties were given proper notice. None of the parties had objected to the same and the possession of the parties was kept intact. The competent authority after the remand of the case in the year 2013 had proceeded to finalise the partition and, therefore, it could not be interfered with at the stage when the parties had no objection to the preparation of naqsha arra qua partition.

3. An appeal was preferred by the respondent with a subsequent order of revision, wherein the revisional authority had come to a conclusion which is admitted position that no naqsha erri was passed or prepared leading to the violation of the statutory provision as provided under the

revisional authority that there has been violation of the provisions of the statute with regard to the finalisation of the partition proceedings, thus, cannot be faulted with. The order impugned being in accordance with law do not call for any interference by this Court.

4. The petition, therefore, stands dismissed.

July 6th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No