

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

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CIVIL WRIT PETITION NO.16298 OF 2018
DATE OF DECISION: JULY 09, 2018

Rajender and others

.....Petitioners

VERSUS

The State of Haryana and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sumit Sangwan, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, praying for quashing of the order dated 23.11.2017 (Annexure P-5) passed by the Financial Commissioner, Haryana, Chandigarh, rejecting his revision petition, which, he had filed impugning the *Sanad Taksim* dated 28.05.2015 and Map “B” passed by the Naib Tehsildar/Assistant Collector 2nd Grade, Bhiwani.

It is the contention of learned counsel for the petitioners, with reference to Annexure P-4, which is Map “B”, that passage may be provided to the petitioners from the path, which has been carved out, from the land of Ravinder etc. as they have constructed a house in Khasra No.17. Counsel for the petitioners also contend that the land of the petitioners is in two parts and one portion is on the other side of the common path, which has been left out in the consolidation proceedings. He, thus, contends that the petitioners are looser on two fronts, one they will have to leave a path in

their own land and secondly the land which has been granted to them beyond the common passage as per the consolidation is virtually left useless. He, thus, asserts that the order as passed by the Financial Commissioner, Haryana, Chandigarh, cannot sustain and deserves to be set-aside.

I have considered the submissions made by learned counsel for the petitioners and with his able assistance have gone through the impugned order as also the Map, Annexure P-4 but do not find myself in agreement with the contentions of learned counsel for the petitioners as there is a passage available to the land of the petitioners. They cannot be granted another passage through the land of Lal Singh as has been claimed by the petitioner. That apart, the respective possession of the share holders has been taken note of and has been protected to a great extent, which also is to be taken into consideration and cannot be ignored. Thus, the order, as has been passed by the competent authority, does not suffer from any illegality, which is apparent on record and would not call for any interference by this Court in exercise of its extra ordinary jurisdiction.

In view of the above, the present writ petition stands dismissed.

July 09, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No