

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

125

Civil Writ Petition No.17331 of 2018
Date of Decision: July 24th, 2018

Naresh Kumar and another

...Petitioners

Versus

Financial Commissioner, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rahul Makkar, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court challenging the order dated 10.10.2014 (Annexure P-6) passed by the Financial Commissioner, Haryana, order dated 10.10.2013 (Annexure P-5) passed by the Commissioner, Gurugram Division, Gurugram, order dated 27.02.2009 (Annexure P-4) passed by the Collector, Rewari and order dated 30.03.2007 (Annexure P-3) passed by the Assistant Collector Ist Grade, Kosli, District Rewari, whereby the partition application of Singh Ram, one of the co-sharers, has been accepted and after the mode of partition was finalised, naksha bey has been prepared. Aggrieved because of the said naksha bey and the mode of partition, the petitioners filed appeals and thereafter culminated in revision petition, where all orders have gone against them.

2. It is the contention of learned counsel for the petitioners that the petitioners have been assigned uneven shaped land which has resulted wastage of the land of the petitioners. Some land which was in possession of the petitioners has been taken away from them, whereas some other land has been assigned to them, because of which the possession of the petitioners has been unnecessarily disturbed. He, therefore, contends that the naksha bey as revised in accordance with the mode of partition is not

3. Having considered the submissions made by learned counsel for the petitioners and having gone through the records of the case and especially the naksha bey which has been appended as Annexure P-1, the contention of the counsel for the petitioners cannot be accepted as the partition which has been resorted to and the mode which has been adopted is most reasonable, just and practicable. That apart, there is an inordinate delay on the part of the petitioners in approaching this Court after more than 3½ years of passing of the order by the Financial Commissioner, Haryana. There being no merit in the present writ petition and the reasons assigned by the authorities rejecting the claim of the petitioners cannot be said to be perverse in any manner which would call for interference by this Court in exercise of its writ jurisdiction.

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

July 24th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No