

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

CWP No.4916 of 2016 (O&M)

Date of Decision: 18.05.2018

Meet Singh and another

. . . Petitioners

Versus

Financial Commissioner, Revenu, Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. G.S. Nagra, Advocate
for the petitioners.

Mr. Bhupinder Beniwal, AAG, Punjab.

Avneesh Jhingan, J. (Oral)

Present petition for direction to respondents for locating the missing partition Application No. 13-T, titled as 'Piara Singh etc. Vs. Bachittar Singh', instituted on 22.03.2002 and decided on 04.09.2003 and further prayer is that thereafter the partition case be decided.

Respondent No.1-Financial Commissioner, Revenue, Punjab, respondent No.2 Deputy Commissioner, Kapurthala, respondent No.3 Tehsildar-cum-Assistant Collector Ist Grade, Phagwara and respondent No.4 is one of the co-sharer.

On notice, written statement by way of affidavit of Shri Parveen Chibber, Tehsildar, Phagwara on behalf of respondent No.3

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was filed. In the said reply, in preliminary submissions, it has been stated that the said file is now in the custody of respondent No.3 and there is no question that file is not traceable.

In view of the statement made in the written statement, the grievance of the petitioner that the file is not being located, no longer survives.

Since the file is now in the possession of respondent No.3, the partition proceedings can be decided by the respondents after following due procedure laid down, and in accordance with law as expeditiously as possible.

Disposed of.

[AVNEESH JHINGAN]
JUDGE

May 18, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No