

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

**CWP-2851-2018 (O&M)
Date of Decision: 19.11.2018**

Gulzar Singh & others

... Petitioners

Versus

Assistant Collector 1st Grade, Jakhal & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Pleadings on record would indicate that vide order dated 16.05.2012 (Annexure P-3) passed by the Assistant Collector 1st Grade, Jakhal, Tehsil Tohana, District Fatehabad mode of partition and Sanad Takseem was issued.

Apparently, the petitioner approached the Commissioner, Hisar Division by filing a revision on 28.09.2017 and which has been declined vide impugned order dated 09.11.2017 (Annexure P-6) on the ground that it lacks competence to reopen the partition proceedings and furthermore there was no explanation coming forth to explain the inordinate delay of 1954 days in filing the revision.

A pointed query was raised to counsel as regards remedy available to the petitioner against an order of final instrument of partition/Sanad Takseem and the response forthcoming was that the petitioner had a remedy of filing a revision before the Financial Commissioner (Revenue).

At this stage, counsel prays for withdrawal of the petition to

approach the Financial Commissioner (Revenue) by filing a revision petition.

Without going into the merits of the case, the instant writ petition is dismissed as withdrawn as per prayer made by counsel.

It is, however, clarified that the instant order would not be construed as if this Court has condoned the aspect of delay.

19.11.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |