

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

201

1. CWP No. 676 of 2017
Date of Decision: 12.9.2018

Rashpal Singh**Petitioner**

v.

The Financial Commissioner (Revenue) Punjab and others
.....**Respondents**

2. CWP No. 21831 of 2016

Ram Singh**Petitioner**

v.

Financial Commissioner (Revenue) Punjab and others
.....**Respondents**

CORAM HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present:- Mr. R.S. Chauhan, Advocate, for the petitioner
(in CWP No. 676 of 2017)
for respondent No. 3 (in CWP No. 21831 of 2016)

Mr. P.S. Bajwa, Addl. AG, Punjab

Mr. Satbir Rathore, Advocate, for respondent No.3
(in CWP No. 676 of 2017)
for the petitioner (in CWP No. 21831 of 2016)

G.S. SANDHAWALIA, J. (Oral) :

The present writ petitions have been filed against a common order dated 15.9.2016, vide which the mode of partition has been approved. The partition proceedings had been initiated by Rashpal Singh-petitioner in CWP No. 676 of 2017, whereas Ram Singh was arrayed as respondent No.3, who is petitioner in CWP No. 31831 of 2016. The other respondents were

served but chose not to appear before this Court.

Both the counsel submits that the objections for value of land has not been taken care of while preparing the mode of partition by Assistant Collector Ist Grade and naksha has wrongly been prepared. In such circumstances, both the contesting parties have a similar grouse against the action of the official respondents.

Keeping in view the above, the proposed mode of partition dated 25.4.2016 as approved on 15.9.2016, is quashed and the Assistant Collector Ist Grade, Mukerian will re-decide the issue and prepare a fresh mode of partition, after making a spot inspection. It is open to the parties, thereafter, to file objections etc. and the matter will be decided afresh.

The parties may appear on or before 15.10.2018 before the Assistant Collector Ist Grade, Mukerian. The present writ petitions are accordingly allowed.

(G.S. SANDHAWALIA)
JUDGE

12.9.2018
Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No