

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

1) LPA No.1503 of 2017 (O&M)

Khem Ram

....Appellant

Versus

Moji Ram (deceased) through LRs
and others

....Respondents

2) LPA No.1510 of 2017 (O&M)

Lal Singh

....Appellant

Versus

Moji Ram and others

....Respondents

Date of Decision : 06.09.2018

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

...

Present: Mr. Ajit Kumar Sharma, Advocate for
Mr.Ram Darshan Yadav, Advocate
for the appellant(s) in both the appeals.

...

MAHESH GROVER, J. (Oral)

By this order we shall dispose of both the abovesaid appeals which are directed against the judgment of the learned Single Judge dated 24.03.2017.

The dispute centres around the partition of land which according to the appellant(s) is short of the land recorded in the jamabandi. According to him, 79 Kanals 11 Marlas land was to be partitioned whereas only 73 kanals 10 marlas land was actually partitioned.

The learned Single Judge noticed that the appellant(s) had admitted the partition and before us learned counsel for the appellant (s) also states that no objections were filed to the mode of partition. It was noticed by the learned Single Judge that the findings of the Financial Commissioner qua the total measurement of land is not based on any material, particularly when the particulars of the property were never disputed by the appellant either before the Financial Commissioner or even by pleading it in the written statement or filing objections to the mode of partition.

We, therefore, do not find any illegality in the approach of the learned Single Judge and accordingly dismiss the appeals, more particularly when they are barred by 81 days which is largely unexplained.

Appeals dismissed.

(MAHESH GROVER)
JUDGE

06.09.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No