

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

LPA No.307 of 2017 (O&M)

Date of Decision: 02.08.2018

Birmati

...Appellant

VS.

Financial Commissioner Revenue, Haryana & Ors. ... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Sagar Deswal, Advocate for the appellant

SURYA KANT J. (Oral)

(1) This Letters Patent Appeal assails the order dated 09.11.2016 whereby learned Single Judge dismissed the appellant's writ petition in which she had challenged the orders passed by Revenue Authorities in the partition proceedings under the Punjab Land Revenue Act, 1887. It was urged before the learned Single Judge and reiterated before us that the appellant was entitled to keep her physical possession intact at the time of partition of joint holding.

(2) Learned Single Judge has, however, turned down the contention and rightly so, for in partition proceedings, it is imperative upon the Revenue Authorities to make an endeavour that every co-sharer gets a compact piece of land which is of equivalent value. In other words, if there is a classification of the land as grade 'A', 'B' or 'C', as per its quality, efforts would be made that all co-sharers get the land proportionately out of differently graded land. In the instant case also, the Revenue authorities have made such an effort so as to adjust the share of the appellant vis-à-vis that of respondent No.5 so that both should have the land of equivalent value in their respective share. It being purely a concurrent finding of fact, duly

upheld by the learned Single Judge, does not call for any interference by this Court.

(3) Dismissed.

(Surya Kant)
Judge

02.08.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

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| 1. Whether speaking/reasoned? | Yes |
| 2. Whether reportable? | No |