

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

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Civil Writ Petition No.23569 of 2019
Date of Decision: September 24th, 2019

Ranbir

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. D.P.S. Bajwa, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

In the present writ petition, challenge is to the order dated 11.01.2019 (Annexure P-6) passed by the Assistant Collector 2nd Grade, Safidon, Jind, vide which *sanad taksim* has been issued for partitioning the land in dispute as per *naksha* 'G', which the petitioner asserts has been illegally done and the *ex parte* proceedings initiated against the petitioner vide order dated 17.01.2018 (Annexure P-2) are contrary to the records as the petitioner has not been duly served. In support of this contention, counsel for the petitioner asserted that the notice which was issued to the petitioner indicates that the same has been refused by Mahender Singh son of Amar Singh, whereas petitioner is Ranbir son of Amar Singh. This report has been appended as Annexure P-3.

2. When confronted with Annexure P-4, where summons have been issued to Ranbir and it has been received by him and has the signatures of the petitioner, counsel for the petitioner has sought to explain the same by pointing out that how could two summons be issued to the petitioner for the same date in the same matter.

3. This contention of counsel for the petitioner would be correct as far as Mahender Singh is concerned, who could have a grievance that

summons were issued to Ranbir but has been served upon him, whereas Ranbir

cannot put forth this grievance as he has duly received the summons. The proceedings, therefore, initiated against the petitioner vide order dated 17.01.2018 (Annexure P-2) cannot be said to be not in accordance with law as the petitioner having been duly served, failed to appear before the Assistant Collector 2nd Grade, Safidon, who, therefore, had no option but to pass such an order.

4. The main grievance of the petitioner and the plank of the arguments having been shattered, there is no merit in the present writ petition, the same stands dismissed.

September 24th, 2019
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No