

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

LPA-1595-2015 (O&M)

Decided on: 24.01.2019

Anita Devi and another

..... Appellants

Vs.

The Financial Commissioner and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. R.D. Bawa, Advocate with
Mr. Randhir Bawa, Advocate and
Mr. Rohit Sharma, Advocate
for the appellants.

Mr. Pankaj Gupta, Addl. A.G., Punjab
for respondents No.1 to 4.

Mr. Arun Jain, Sr. Advocate with
Mr. Manvir Singh Rana, Advocate
for respondents No.5 to 11.

AJAY KUMAR MITTAL, J (ORAL)

Challenge in this Letters Patent Appeal is to order dated 04.08.2015, whereby the learned Single Judge had dismissed the writ petition, i.e. CWP No. 24554 of 2013.

2. Learned counsel for respondents No.5 to 11 submitted that the learned Single Judge while dismissing the said writ petition had recorded his observations, which are as under:-

“It is not the case of the petitioners that there is any discrepancy in the allotment of shares to the respective co-sharers at the time of allotment/final instrument of partition prepared by AC Grade-I.”

3. Learned counsel for the appellants submitted that the aforesaid observations are contrary to the record.

4. From the perusal of the impugned order, we do not find that such a plea was raised by the appellants before the learned Single Judge.

5. Accordingly, prayer was made by learned counsel for the appellants that he may be allowed to withdraw the present appeal with liberty to the appellants to file the review petition before the learned Single Judge.

6. Dismissed as withdrawn. However, it shall be open to the appellants to take recourse to the remedies as may be, available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

24.01.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No