

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

**RSA No.2710 of 2017 (O&M)
Date of Decision.12.03.2019**

Ramesh Kumar (since deceased) through LR's and others
...Appellants

Vs

Suresh Kumar (since deceased) through LR's and another
...Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Abhinav Sood, Advocate for
Mr. Vikram Singh, Advocate
for the appellants.

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AMIT RAWAL J. (ORAL)

C.M. No.6720-C of 2017

The application for impleading the legal representatives of deceased Ramesh Kumar and Narinder Kumar i.e. appellant No.1 and 3 respectively is allowed subject to all just exceptions and the legal representatives are ordered to be brought on record for the purpose of adjudication of the present appeal.

RSA No.2710 of 2017

The short point involved in the present appeal is whether the partition proceedings already attained finality on account of lapse of three years can be again sought by invoking jurisdiction of the Civil Court, the answer would be 'no', in view of emphatic bar as per provisions of Section 158 of the Punjab Land Revenue Act. If at all, previous partition had not been effected, the remedy again was under the Punjab Land Revenue Act but not by civil suit.

In view of such circumstances, I do not find any illegality

and perversity in the judgments and decrees rendered by Courts below, much less, no substantial question of law arises for determination by this Court. No ground for interference is made out. Resultantly, the second appeal is dismissed.

(AMIT RAWAL)
JUDGE

March 12, 2019
Pankaj*

Whether Reasoned/Speaking Yes/No

Whether Reportable Yes/No