

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

114

**CWP-40273-2018
WITH CM-1197-CWP-2019**

Date of decision: 08.02.2019

SANTOKH SINGH AND OTHERS

...PETITIONERS

VS.

STATE OF PUNJAB AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sarbjit Singh Hira, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-1197-CWP-2019

C.M. is allowed subject to just exceptions. Aksh-Shajra of land in dispute under the possession of all the respective co-sharer as Annexure P-11 is taken on record.

CWP-40273-2018

Petitioners have approached this Court alleging violation of the mode of partition on the contention that the revision petition is not maintainable against the said order in the light of the provisions of Section 16 of the Punjab Land Revenue Act, 1887.

This Court is not in agreement with the counsel for the petitioners in the light of the order passed by this Court in CWP No. 25834 of 2014 titled as Amanpreet Kaur and another vs. Financial Commissioner Revenue, Punjab and others, decided on 25.05.2015, whereby it has been held that the revision petition is maintainable against the order of mode of

partition.

In view of the above, this Court refrains to entertain the present writ petition and relegate the petitioners to avail of the remedy of filing the revision petition.

The writ petition stands disposed of in above terms.

February 08, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No