

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

CR no.16472 of 2018

Date of Decision: 21.05.2019

Harmeet Kaur and another

...Petitioners

Vs.

Swaranjeet Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Ravindra Jain, Advocate, for the petitioners.

Amol Rattan Singh, J (Oral)

By this petition, the petitioners challenge the order passed by the learned Assistant Collector 2nd Grade, Jagadhri, dated 10.09.2018 (copy Annexure P-10), by which the proceedings before that revenue court, seeking partition of land stated to be co-owned by the petitioners, have been adjourned *sine die* to await the outcome of the civil case instituted by Satnam Singh (husband of the present respondent), such partition proceedings before the revenue court stated to have been initiated by the petitioners.

Upon query, learned counsel submits that as a matter of fact, the suit instituted by Satnam Singh is one seeking a declaration of title *qua* the land in question, on the ground that it was actually he who had purchased the suit property in the name of Simarjeet Singh (husband of petitioner no.1).

He however submits that Satnam Singhs' ownership over the suit property, even if held so by the trial court (though it is not at all admitted), in fact has no bearing on the partition proceedings.

Upon query, he submits that the stage of proceedings in that suit is at arguments, with the next date of hearing being tomorrow.

That being so, without making any comment whatsoever on the rights of the parties to the suit land, or even as regards the merits of the partition proceedings, I see no reason to interfere with the impugned order, because once that suit is decided one way or the other, the petitioners would obviously be at liberty to approach the Assistant Collector 2nd Grade, Jagadhri, to commence proceedings in the suit for partition filed by them before that authority.

With the aforesaid observation, this petition is disposed of.

21.05.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether speaking/reasoned : Yes
Whether reportable : No