

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

105

C.W.P.No.21452 of 2019

Date of Decision:- 03.03.2020

Satinder

....Petitioner

vs.

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. R.D. Yadav, Advocate,
for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner challenges order dated 25.4.2019 passed by the learned Financial Commissioner whereby his revision petition has been dismissed.

In an application for partition filed by respondent No.5, the proceedings were concluded and sanad taksim was issued on 31.8.2012. Against the said order, the petitioner filed an appeal before the Collector which was dismissed on the ground of non-maintainability. Further, revisions before the Commissioner and Financial Commissioner have also failed.

Learned counsel for the petitioner submits that the sanad taksim was illegal as it was issued without hearing the petitioner. The petitioner was never served and was wrongly proceeded against *ex parte*.

However, learned counsel for the petitioner admits that the appeal was not maintainable.

Since the appeal before the Collector was not maintainable, there is no illegality in the impugned orders.

The writ petition is accordingly dismissed. The petitioner, however, shall have liberty to challenge the partition proceedings and the sanad in accordance with law, if any remedy is available.

March 03, 2020
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

No