

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6884 of 2021

Date of Decision: 29.07.2021

Nirmal Singh

....Petitioner

VS

The Financial Commissioner Revenue, Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ramesh Sharma, Advocate
for the petitionerMs. Anju Sharma Kaushik, DAG Punjab
for respondents No. 1 to 4

SUDHIR MITTAL, J. (Oral)

The petitioner has challenged order dated 09.12.2020 passed by the Financial Commissioner Revenue, Punjab, Chandigarh in this writ petition.

In the partition proceedings, *sanad takseem* was issued in 2010. the warrants of possession were also issued in the same year but possession could not be transferred as there was a stay granted by the civil Court in operation. After stay was vacated, it came to the notice of the concerned authorities that there was a typographical error in the *jamabadi* which was rectified by *fard badar* dated 29.04.2016. Amended *sanad* dated 02.08.2016 was, thus, issued. The *sanad* of the year 2010 as well as that issued in the year 2016 were challenged before the Financial Commissioner on the ground that possession based on *sanad* of the year 2010 could not be taken in view of the Section 122 of the Punjab Land Revenue Act, 1887.

The learned Financial Commissioner has concluded that limitation can not be invoked in this case as initially there was a stay granted by a civil Court and

continuation of the *sanand* of the year 2010. The aforementioned reasoning is perfectly justified and legal.

Learned counsel for the petitioner has not been able to point out any error therein. Thus, the writ petition is misconceived and deserves to be dismissed.

Ordered accordingly.

(SUDHIR MITTAL)
JUDGE

29.07.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No