

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

Sr. No.113

**CM-10238-CWP-2021 in/and
CWP No.10789 of 2021
DATE OF DECISION: August 06, 2021**

KULWINDER KAUR

..PETITIONER

VERSUS

ASSISTANT COLLECTOR 1ST GRADE PATTI AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Prince Sharma, Advocate, for the petitioner.

Mr. Amit Arora, Advocate,
for the caveator-respondent.

SUDHIR MITTAL, J. (ORAL)

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Allowed as prayed for.

Amended synopsis is taken on record.

At oral request main case is taken on board.

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The final order of partition was passed by the Assistant Collector Ist Grade, Patti, District Tarn Taran on 13.05.2014 (Annexure P-1) whereafter sanad was issued on 30.01.2015. The petitioner challenged order dated 13.05.2014 by way of appeal but the same was dismissed. Still aggrieved, she carried a revision petition before Commissioner, Jalandhar Division, Jalandhar which succeeded and the matter was remanded to the

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Assistant Collector Ist Grade, Patti for a fresh decision. However, the said order has been set aside by the Financial Commissioner on a revision petition filed by respondent No.5.

The learned Financial Commissioner has held that the Commissioner had no jurisdiction to deal with matter of partition after sanad had been issued and thus, order dated 21.10.2016 passed by him is without jurisdiction. The aforementioned order of the Financial Commissioner is in accordance with law and no fault can be found with it. Thus, the writ petition is liable to be dismissed, however, with liberty to the petitioner to challenge the sanad by filing a revision petition before the Financial Commissioner.

Ordered accordingly.

August 06, 2021
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No