

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-429 of 2013(O&M)
Date of decision: 29.07.2022

Vinod Kumar and others

..Petitioners

Versus

Jai Parkash and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.V.Jain, Advocate
for the petitioners.

Mr. Parminder Singh, Advocate
for respondent no.1 and 2.

Mr. Nonish Kumar, Advocate
for respondent no.3.

ANIL KSHETARPAL, J(Oral)

The dispute is with regard to the partition of a joint property. The petitioner has been allotted a portion which has been depicted in blue colour in the layout plan as suggested by the Local Commissioner which has a passage 3.6 inches wide from the main market and a passage from the Northern side of the property.

The learned counsel representing the petitioners contends that the aforesaid street on the Northern side of the property in dispute goes upto the yellow portion of the property of Sh. Ishwar Singh in the layout plan. The yellow portion has been allotted to Sh. Ishwar Singh.

The learned counsel representing Sh. Ishwar Singh states that the street even goes upto the blue portion in the shown plan, however, even if it is not there, he is prepared to grant a passage to the petitioners.

In view thereof, there is no substance in the revision petition.

Dismissed.

However, the petitioners, if so advised, may take possession of the blue portion as in the layout plan by filing a fresh application before the Court, if the respondents do not hand over the possession.

All the pending miscellaneous applications, if any, are also disposed of.

July 29th, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*