

CWP No. 3277 of 2022

Date of Decision: 21.02.2022

Rohtash and others

....Petitioners

VS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Vivek Khatri, Advocate
for the petitioners

SUDHIR MITTAL, J. (Oral)

The petitioners are aggrieved because vide impugned order dated 21.10.2021 the Financial Commissioner has set aside sanad dated 24.04.2012 and has remanded the case to the Assistant Collector for a fresh decision.

Learned counsel for the petitioners has argued that no grievance has been raised in the grounds of revision regarding allotment of more valuable land to the petitioner (respondent No. 26 before the Financial Commissioner) and, thus, the impugned order is liable to be set aside.

A perusal of the grounds of revision annexed as Annexure P-8 on record shows that infact a grievance has been raised regarding allotment of more valuable land to the petitioners and, thus, the submission is not entitled to be accepted. It has been next argued that there was an inordinate delay in filing of the revision petition and application for condoning the delay of 1146 days had also been filed but the revision petition has been decided without passing any order on the said application.

The petitioner is not entitled to raise this grievance as he failed to appear before the Financial Commissioner despite service. The ground was never

raised before the Financial Commissioner and is deemed to have been waived.

Delay does not extinguish the right, it only extinguishes the remedy.

No other ground or argument has been raised.

The writ petition is without merit and is dismissed.

21.02.2022
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(SUDHIR MITTAL)
JUDGE

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