

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

Sr. No.110

Civil Writ Petition No.5581 of 2022

Date of Decision : April 01, 2022

Krishan Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Mohan Singla, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

A sanad was issued during partition proceedings. The same was challenged by the petitioner by way of a revision petition but the same has been rejected vide order dated 28.09.2021.

It has been submitted that the Financial Commissioner has not given any reason whatsoever in support of the order and thus, the same deserves to be set aside and the case remanded for a fresh decision.

Having perused the order dated 28.09.2021, I accept the submission made by learned counsel for the petitioner. All that the learned Financial Commissioner has stated therein is that the petitioner (before him) has tried to mislead the Court and that all submissions made by him have been controverted by learned counsel for respondent No.1. Statement to this effect does not amount to giving reasons in support of the order.

Notice of motion.

Mr. Samarth Sagar, Addl. A.G., Haryana accepts notice on behalf of respondents No.1 to 3 and waives service.

Mr. Karan Garg, Advocate who is on caveat accepts notice on behalf of respondent No.4 and waives service.

Since the interest of the remaining private respondents is the same as respondent No.4, service upon them is dispensed with.

Learned State counsel as well as learned counsel for respondent No.4 admit that the order is totally non-speaking.

Thus, the writ petition is allowed. Impugned order dated 28.09.2021 passed by the learned Financial Commissioner, Haryana is set aside and the matter is remitted to him for deciding the same afresh by passing a speaking order taking into consideration the contentions of the parties as well as the evidence on record. Parties are directed to appear before the learned Financial Commissioner on 05.05.2022 at 10.00 AM. He is requested to decide the revision petition within one year.

April 01, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No