

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

Sr. No.102

**CWP-10051-2021 (O&M)
Date of decision : 29.10.2022**

Chananpreet Singh

..... Petitioner

VERSUS

Financial Commissioner, Revenue, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.K. Singla, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The private respondents filed an application for partition of the land in dispute, wherein, the petitioner raised an objection that the same cannot proceed as question of title is pending adjudication. Accordingly, the Assistant Collector adjourned the proceedings *sine die*. Thereafter, allegedly because the possession of the petitioner was being interfered with and the private respondents were not being restrained from doing so, a Criminal Miscellaneous Petition No.19533 of 2011 was filed in this Court. The same was disposed of vide order dated 24.4.2012 directing the revenue authorities to conclude the partition proceedings as expeditiously as possible and preferably within a period of six months from the date of receipt of certified copy of the order. The said order was passed as learned counsel for the petitioners therein had conceded that such a direction may be issued. Subsequently, appeal filed by the private respondents against the order adjourning the proceedings *sine die* has been dismissed. The present writ petition has been filed with a grievance that the Assistant Collector was proceeding with the partition case despite partition proceedings having been adjourned *sine die*.

The submission is mis-placed and mis-conceived. Once, the High Court has passed an order directing the Assistant Collector to conclude partition proceedings within a time bound manner, he has no option, but to comply with the order irrespective of the pendency of proceedings before the Civil Courts. No application has been filed for modification of the order of the High Court and thus, the petitioner cannot be granted any relief.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

29.10.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No