

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

Sr. No.112

**CWP-10643-2022 (O&M)
Date of decision : 19.07.2022**

Milakh Raj and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. P.K. Ganga, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

During the course of partition proceedings, the petitioners were proceeded against *ex parte*. Accordingly, an application for setting aside the *ex parte* order was filed, but was rejected. However, appeal there-against succeeded. Thus, the petitioners filed objections before the Assistant Collector, First Grade, Sirsa on 14.06.2019. The said objections were against the *Naksha Kha*. The Assistant Collector did not find any merit therein and rejected the same. *Naksha Kha* was accepted. Appeal and subsequent revisions have failed and thus, the present writ petition has been filed.

Learned counsel for the petitioners has argued that partition application was filed by respondent No.5 who was the blood brother of the petitioners. In the *Naksha Kha*, a separate kura was carved out for him and for the petitioners the land was kept joint. A specific objection in this regard was raised, but was not considered. Thus, impugned orders are illegal and deserve to be set aside.

The argument cannot be accepted because although, such objections seem to have been raised in the grounds taken before the

Thus, the petitioners cannot be permitted to raise the argument in the writ Court. No other illegality or irregularity has been pointed out.

The writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

19.07.2022
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No