

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

Sr. No.108

**CM No.15059-CWP of 2022 in/and
Civil Writ Petition No.19726 of 2022
Date of Decision : September 23, 2022**

Rajwant Kaur

...Petitioner

Versus

Financial Commissioner (Revenue), Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ravi Sharma, Advocate with
Mr. Suresh Sharma, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (ORAL)

CM-15059-CWP-2022

This application has been filed for placing on record
Annexures P-6 & P-7.

For the reasons stated therein, the application is allowed and
annexures aforementioned are taken on record.

At oral request, main case is taken on board.

CWP-19726-2022

In the course of partition proceedings, sanad was issued. The
same was challenged by the petitioner by way of a revision petition filed
before the Financial Commissioner, Revenue, Punjab. The said revision
petition has been dismissed vide order dated 25.05.2022 and thus, the
present writ petition has been filed.

Learned counsel for the petitioner has submitted that the order passed by the Financial Commissioner is illegal and deserves to be set aside as Civil Court decree dated 30.10.1995 has not been taken into consideration while partitioning the land.

A perusal of the order of the Financial Commissioner shows that no objection was raised on the basis of the decree aforementioned. Assuming, the decree has not been taken into consideration, learned counsel for the petitioner has not been able to explain the relevance thereof. The only ground raised before the Financial Commissioner was that (respondent No.4 before him) respondent No.6 in the present writ petition had exchanged excess land with Ujjagar Singh in the year 1986. If he had done so, the significance of the same in the matter of partition has not been explained by learned counsel for the petitioner.

It is not his case that Ujjagar Singh i.e. the person with whom the land was exchanged was not a co-sharer in the joint land.

In view of the above, the writ petition has no merit and is dismissed.

September 23, 2022

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No