

CWP-22879-2022

Date of Decision: 30.09.2022

Pawan Kumar

....Petitioner

VS

Tehsildar-cum-Assistant Collector 1st Grade, Kosli and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Jai Vir Yadav, Sr. Advocate with
Mr. Harshvardhan Ranga, Advocate
for the petitioner

SUDHIR MITTAL, J. (Oral)

Sanad Takseem issued during the course of partition proceedings is under challenge in this writ petition.

Learned senior counsel for the petitioner submits that partition proceedings were initiated in the year 2014 and, thus, as per the judgment of this Court in CWP No. 10182 of 2017 decided on 12.05.2017, *sanad* can be challenged before the Financial Commissioner. However, office of the Financial Commissioner is not accepting the revision petition.

Notice of motion to respondent No. 1 only.

Ms. Tanushree Gupta, DAG Haryana accepts notice on behalf of respondent No. 1 and waives service.

Considering the nature of the order being passed, no reply is necessary to be filed.

The writ petition is disposed of with a clarification that partition proceedings having been initiated prior to the amendment of the Punjab Land Revenue Act, 1887, *sanad* issued during the course of partition can be challenged before the Financial Commissioner.

Learned senior counsel for the petitioner submits that the Financial Commissioner would be approached within 10 days from today and till then status quo may be ordered.

Parties are directed to maintain status quo as it exists today for a period of 10 days from today.

30.09.2022
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(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No