

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

Sr. No.143

**Civil Writ Petition No.26697 of 2022
Date of Decision : November 21, 2022**

Darshan Singh & others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Surinder Thakur, Advocate for petitioners.

SUDHIR MITTAL, J. (ORAL)

A pending partition case was decided by the Court of Assistant Collector 1st Grade vide order dated 22.03.2007. Some of the co-sharers appealed against the said order but without success. A further revision was carried which was allowed and the matter was remanded to the Assistant Collector 1st Grade for a fresh decision in accordance with directions issued. After remand, parties were summoned in accordance with law. Certain objections regarding the partition were filed and were referred to Halka Girdawar who submitted explanations thereto. The explanations were found valid and partition was finalized vide order dated 18.10.2010. Further appeal and revisions against the said order have been dismissed and thus the present writ petition has been filed.

Learned counsel for the petitioners has submitted that the explanations to the various objections raised on behalf of petitioners are not tenable in law. The revisional authority has failed to take this aspect into consideration and thus, the order requires interference.

The argument cannot be accepted as despite having given adequate opportunity to establish that the explanations are not tenable in law, learned counsel for the petitioner has not been able to do so. An argument can be accepted only if it supported by facts and evidence. In the absence thereof an oral submission is liable to be rejected.

The writ petition has no merit and is dismissed.

November 21, 2022

Meenu/Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No