

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(128)

CWP-11152-2023

Date of decision: - 22.05.2023

Shamsher Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Kanwar Pahul Singh, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Article 226 of the Constitution of India for issuing writ in the nature of certiorari for setting aside/quashing of orders dated 02.11.2022 (Annexure P-2) and 12.12.2022 (Annexure P-3) passed by the Naib Tehsildar-cum-Assistant Collector, Grade-1 Lopoke, Tehsil Ajnala, District Amritsar, whereby the applications for partition of land by the private respondents have been allowed ex-parte.

2. Learned State counsel has submitted that in the present case, *sanad takseem* has been prepared and thus, a revision petition would be maintainable before the Financial Commissioner and for the said purpose has relied upon the judgment titled as “**Ram Gopal Vs. State of Haryana and others**”, ***reported as 2009(11) RCR (Civil) 336***, in which, a Co-ordinate Bench of this Court had observed that the petitioner, at the first instance, after preparation of sanad takseem, should approach the

Financial Commissioner by way of filing a revision.

3. Learned counsel for the petitioner has submitted that in view of the stand taken by the learned State counsel, the petitioners be permitted to withdraw the present writ petition with liberty to file a revision petition before the Financial Commissioner.

4. In view of the above statement of learned counsel for the petitioner, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

May 22, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No