

126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7388-2024

Date of Decision:01.04.2024

Raj Kumar

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikram Singh, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to respondent No.2 to conclude the partition proceedings bearing case No.140/P/NT dated 18.08.2023 (Annexure P-1) pending in the Court of respondent No.2 in a time bound manner as the same are pending since long and the dispute is with regard to passage which has been included by the respondents in the partition application because of which the applicant and other applicants in the partition application are not able to cultivate their land and partition, especially in view of Sections 111-A/118-A of the Haryana Land Revenue Act, 1887, whereby the partition proceedings are required to be concluded within a period of six months from the date of partition application.

Learned counsel for the petitioner has submitted that the partition application is pending before respondent No.2 since long and no decision thereon has been taken because of which the petitioner and other co-sharers are unable to cultivate their land. He has further prayed that respondent No.2 be directed to conclude the partition proceedings in a time bound manner.

Notice of motion.

Mr. Rajneesh Chadwal, Assistant Advocate General, Haryana,

No.2 be granted three months time to conclude the partition proceedings pending before him.

Heard.

After hearing learned counsel for the parties and perusing the record, the present petition is disposed of with a direction to respondent No.2 to conclude the partition proceedings pending before him expeditiously within a period of three months from the date of receipt of copy of this order, in case there is no legal impediment in the present case. Learned Collector is free to take into consideration the stay, if any granted by any higher authority/Court in the present case and proceed further in accordance with law.

01.04.2024
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No