



CWP-13357-2024

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

CWP-13357-2024

Date of Decision: 29.05.2024

Mangal Singh and another

..... Petitioners

Versus

Commissioner Revenue, Faridkot Division, Faridkot and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Sanjiv Gupta, Advocate,
for the petitioners.

Rajesh Bhardwaj, J. (Oral)

1. Prayer in the present petition is for quashing the impugned order of partition dated 21.02.2024 (Annexure P-7) vide which Naksha A has been approved and the order dated 21.03.2024 (Annexure P-8) vide which Naksha Zeem was approved and order dated 21.03.2024 (Annexure P-9) vide which the Sanad Takseem has been passed and order dated 21.03.2024 has been passed by the Assistant Collector Ist Grade, Jaitu and the partition has been done in an illegal manner without taking into consideration the mandate of law and further staying the dispossession of the petitioners from the suit property or in the alternative the partition proceedings may kindly be stayed.

2. Learned counsel for the petitioners has been submitted that without impleading the petitioners as party, the partition proceedings were carried out in a hasty manner. He submits that not only Sanad takseem was issued but warrants of possession have also been issued on the very same day.

3. Notice of motion to the official respondents only.

4. On asking of this Court, Mr. Navneet Singh, Sr. DAG, Punjab accepts notice on behalf of the respondent-State and submits that the petitioners have the alternative remedy of filing revision before the Financial Commissioner, which they have not availed.
5. Learned counsel for the petitioner has fairly submitted that he may be allowed to withdraw the present petition with liberty to the petitioners to avail alternative remedy of filing revision before the Financial Commissioner.
6. Dismissed as withdrawn with liberty as prayed for. If the petitioners file any such revision before the Financial Commissioner on or before 15.07.2024, the Financial Commissioner would decide the same in accordance with law. Till then no coercive action shall be taken against the petitioners. If no such revision etc. is filed before the Financial Commissioner by 15.07.2024, this order would have no avail to the petitioners.

29.05.2024

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Whether Speaking/Reasoned

Whether Reportable

(RAJESH BHARDWAJ)

JUDGE

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Yes/No

Yes/No