

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

**CWP-5943-2011 (O&M)
Date of decision: 24.05.2024**

Vinod Kumar and others

.....Petitioners

versus

FC Revenue Pb. and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. D.S. Gandhi, Advocate
for the petitioners.

Mr. Navneet Singh, Senior DAG, Punjab.

Mr. M.K. Singla, Advocate and
Ms. Shikha Singla, Advocate
for respondents No.5 to 9.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing order dated 26.11.2010 (Annexure P-14), order dated 18.12.2008 (Annexure P-5) and order dated 28.11.2007 along with proceedings emanating therefrom. Further prayer has been made for directing respondent No.4 to decide the objections filed by the petitioners to the mode of partition and thereafter proceed with the partition in accordance with law.

Learned counsel for the petitioners has fairly submitted that the sanad taksim which was issued subsequently has not been challenged by the petitioners.

Learned counsel for respondents No.5 to 9 however, has submitted that the petitioners had challenged the *sanad taksim* before the Civil Court which suit was dismissed and the appeal filed against the same was also dismissed by the District Judge. However, counsel for the petitioners submitted that inadvertently, wrong remedy was availed and

he be allowed to withdraw the present petition with liberty to the petitioners to avail their remedy as per the Punjab Land Revenue Act to challenge the sanad taksim as per law.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for. In case the issue of the limitation arises, the Court concerned would take into consideration and decide the same keeping in view the provisions of Section 14 of the Limitation Act.

24.05.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No