



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

CWP-15712-2017

Date of Decision: 24.05.2024

Parminder Singh

..... Petitioner

Versus

AC First Grade, Ludhiana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Sherry K. Singla, Advocate, for the petitioner.

Mr. Navneet Singh, Sr. DAG, Punjab.

Mr. A.P. Kaushal, Advocate, for respondent No.2

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing the impugned order dated 19.04.2017 passed by respondent No.1- Assistant Collector Ist Grade, Ludhiana (Annexure P-3), vide which the mode of partition has been sanctioned in the partition case titled as Bharminder Singh vs. Mahinder Singh and others, being illegal, arbitrary and contrary to the provisions of Punjab Land Revenue Act as no opportunity has been granted to the petitioner to file objections against the proposed mode of partition and mode of partition has been sanctioned on the same date i.e. 19.04.2017, when it was proposed by respondent No.1. Further prayer has been made to stay the operation of the impugned order dated 19.04.2017 (Annexure P-3).

2. Learned counsel for the petitioner has fairly submitted that the petitioner has alternative remedy to challenge the Sanad Takseem before the Financial Commissioner and as such he may be allowed to withdraw the present petition with liberty to the petitioner to avail alternative remedy for the redressal of his grievance.

3. Allowed to do so.



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4. Dismissed as withdrawn with liberty as prayed for.
5. In case, any such appeal/revision is filed before the Financial Commissioner within a period of two weeks from today, learned Financial Commissioner would deal with and decide the same expeditiously in accordance with law. Interim order already granted will remain in force for a maximum period of two weeks from today or till the filing of appeal/revision by the petitioner on an early date.

(RAJESH BHARDWAJ)
JUDGE

24.05.2024
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No