



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

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LPA-815-2025 (O&M)

Decided on : 09.09.2025

ANGURI DEVI @ ANGOORI DEVI

. . Appellant

Versus

STATE OF HARYANA AND OTHERS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

PRESENT: Mr. Ram Darshan Yadav, Advocate
for the appellant.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present appeal, the challenge is to the impugned order dated 04.02.2025 passed by the learned Single Judge in CWP-4300-2024, by which, the writ petition filed by the petitioner (appellant herein) challenging the partition proceedings which has been rejected by the Financial Commissioner, Haryana, vide order dated 06.11.2023 (Annexure P-5), has been dismissed.

2. Learned counsel for the appellant submits that the claim was raised by the appellant, who was the petitioner before the learned Single Judge, that he has raised a house as well as Tube-well connection on the land comprised in Killa No. 109/17, which fact has not been appreciated while deciding the partition proceedings by the Financial Commissioner, Haryana,



vide order dated 06.11.2023 (Annexure P-5).

3. Learned counsel for the appellant further submits that even the learned Single Judge has not appreciated the said fact while dismissing the petition vide order dated 04.02.2025.

4. We have heard learned counsel for the appellant and have gone through the case file with his able assistance.

5. It may be noticed that the said argument has already been raised by the learned counsel for the appellant before the learned Single Judge and the same has also been noticed in paragraph No. 5 of the order dated 04.02.2025 passed by the learned Single Judge. The said issue has been decided by the learned Single Judge by recording the findings that no document/material evidence has been brought on record to show that the appellant has exclusive possession over the land comprised in Killa No. 109/17 and that there is any construction done on the said land as being claimed.

6. Further, while supporting the said findings, the learned Single Judge has recorded the findings of the learned Financial Commissioner, Haryana while dealing with the said claim wherein it has been clearly mentioned that the spot was inspected by the Assistant Collector Ist Grade in the presence of the Co-sharers and the respectable persons of the village and as per the spot inspection the specific killa number and actual possession of the Co-owners was verified and as per the record, the house and tube-well was constructed in rectangle No. 110 and not in rectangle No. 109/17.

7. Once, the said findings have been given on the basis of the spot inspection in the presence of all the co-sharers and the respectable persons of the village, disputing the fact, will not give right to the appellant to claim the



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benefit.

8. The impugned judgement dated 04.02.2025 passed by the learned single judge as well as on the spot inspections in presence of all the co-sharers and the respectable persons of the village has not been proved incorrect in any manner by placing on record any facts and material evidence by the appellant herein. Hence, in the absence of any documents and material evidence brought on record to prove that on the spot record is perverse, the judgement of learned single judge cannot be perverse either on the basis of the facts or the material evidence brought on record, no ground is made out for any interference by this Court in the present appeal, **hence, the present appeal stands dismissed.**

9. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

09.09.2025

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*