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

**CWP-10721-2025 (O&M)
Date of Decision: 06.08.2025**

Nishan Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Prateek Sodhi, Advocate
for the petitioners.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

Mr. Gaurav Goel, Advocate
for the respondent-Bank.

HARSH BUNGER, J. (Oral)

This petition has been filed under Article 226 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for setting aside Mode of Partition dated 16.09.2016 (Annexure P-1); final order of partition dated 27.06.2017 (Annexure P-3); Sanad Taksim dated 06.03.2019 (Annexure P-5); order dated 28.08.2018 (Annexure P-4) passed by the learned Collector, Amritsar-I and also order dated 28.03.2023 (Annexure P-7) passed by learned Commissioner, Jalandhar Division, Jalandhar.

1.1 A further prayer has been made for setting aside order dated 27.09.2024 (Annexure P-9) passed by learned Financial Commissioner, Punjab.

2. Briefly, respondent No.6- Narinder Pal Singh sought partition of

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joint land measuring 87 Kanals 19 Marlas, situated at Village Bandala-I, Tehsil Amritsar-I, District Amritsar. The petitioners appeared and participated in the aforesaid partition proceedings, wherein Mode of Partition dated 16.09.2016 (Annexure P-1) was prepared. Thereafter, *Naksha 'Arra'* was received from the field staff, whereupon petitioners submitted their objections, however the said objections were not considered and the learned Assistant Collector Grade-I, Amritsar, vide order dated 27.06.2017 (Annexure P-3) passed the final order of partition.

2.1 Feeling dissatisfied, the petitioners preferred an appeal before the learned Collector, Amritsar-I, which was dismissed vide order dated 28.08.2018 (Annexure P-4). Thereafter, Sanad Taksim dated 06.03.2019 (Annexure P-5) was issued.

2.2 It transpires that the petitioners challenged the aforesaid partition proceedings/orders by filing a revision before the learned Commissioner, Jalandhar Division, Jalandhar, however the same was dismissed vide order dated 28.03.2023 (Annexure P-7).

2.3 Still dissatisfied, the petitioners preferred a revision petition (ROR No.745 of 2024) before the learned Financial Commissioner (Appeals), Punjab, which has also been dismissed vide impugned order dated 27.09.2024 (Annexure P-9).

3. In the aforementioned circumstances, the petitioners have filed the present writ petition before this Court for seeking the relief(s) as noticed hereinabove.

4. Heard.

5. In the present case, the partition proceedings initiated at the instance of respondent No.6- Narinder Pal Singh came to be concluded with the drawing of Sanad Taksim dated 06.03.2019 (Annexure P-5).

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6. Thereafter, the petitioners preferred a revision before the learned Commissioner, Jalandhar Division, Jalandhar, although the same was not maintainable. Be that as it may, the revision petition preferred by the petitioners before the learned Commissioner, Jalandhar Division, Jalandhar was dismissed vide order dated 28.03.2023 (Annexure P-7).

7. Thereafter, the petitioners filed a revision petition (ROR No.745 of 2024) before the learned Financial Commissioner, Punjab which was also dismissed vide order dated 27.09.2024 (Annexure P-9), by observing as under:-

“4. I have considered the arguments advanced by Counsel for the petitioner and also perused the orders of the lower Courts. It is found that order passed by DRO-cum-Assistant Collector Grade-I, Amritsar passed detailed and speaking order. It has been clearly mentioned by AC-I that proper notices were sent to the petitioner. Munadi was conducted in the village. It has been further clarified by AC-I that the petitioner did not raise any objection on sanctioned mode of partition and any of the Nakshas. At this revisional stage, the petitioner cannot be allowed to raise objections on Nakshas. Further, the revision petition is with regard to partition only not with regard to FardBadar. This view has been taken by the Commissioner, Jalandhar Division, Jalandhar. There is no illegality or perversity in the order passed by the lower Courts.”

8. Before this Court, learned counsel for the petitioners has failed to point out as to what prejudice has been caused to the petitioners by the manner in which the partition has been carried out. It has also not been shown as to whether the petitioners have been allocated land less than their entitlement.

9. At this stage, only one submission has been raised that the application for partition was submitted in respect of area measuring 87

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Kanals 19 Marlas, whereas the partition has been actually carried out for an area measuring 83 Kanals 18 Marlas.

10. I have considered the aforesaid submissions raised on behalf of the petitioners, however it is observed that the petitioners have not attached any revenue record with the present writ petition so as to enable this Court to appreciate the aforesaid contention raised on behalf of the petitioners. Even a complete copy of Sanad Taksim dated 06.03.2019 has not been attached. In the absence of the aforesaid two material documents, it is not possible for this Court to appreciate the aforesaid contention, accordingly the same is rejected.

11. In view of the above, I find no compelling reason to interfere in the partition proceedings/impugned orders. Resultantly, the instant writ petition fails and the same is accordingly dismissed.

12. All pending application(s), if any, shall also stand closed.

06.08.2025*Himani***(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No