

2025:PHHC:086265



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CM-11367-CWP-2025 in/and
CWP-21283-2024 (O&M)
Date of Decision: 20.08.2025

Daljit Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. S.L. Chander Shekhar, Advocate
for the non-applicants/petitioners.

Mr. Dheeraj Mahajan, Advocate
for applicant/respondent No.4.

Mr. Nirmaljit Singh Diwana, Senior DAG, Punjab.

HARSH BUNGER J. (ORAL)

CM-11367-CWP-2025:

Prayer in the present application is for preponing the date of hearing fixed in the main writ petition from 03.12.2025 to an early date of hearing.

Notice of the application.

Mr. S.L. Chander Shekhar, Advocate, who is present in Court, accepts notice on behalf of the non-applicants/petitioners and raises no objection in case prayer made in the present application is accepted.

Keeping in view the no objection endorsed by learned counsel for the non-applicants as well as the reasons mentioned in the present application, the date of hearing fixed in the main writ petition is preponed from 03.12.2025 to today itself and the case is taken up on Board, for consideration.

Application is accordingly disposed of.

CWP-21283-2024 (O&M):

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 13.03.2024 (Annexure P-4) passed by the learned Assistant Collector, 1st Class, Qadian, whereby the Mode of Partition has been approved.

1.1 A further prayer has been made for setting aside order dated 03.05.2024 (Annexure P-5) passed by the learned Financial Commissioner (Appeals), Punjab, whereby the revision petition (ROR No.353 of 2024) filed by the petitioner against the aforesaid order dated 13.03.2024 (Annexure P-4) has been dismissed on the ground of maintainability by observing that in terms of the amended provisions of the Punjab Land Revenue Act (as brought about by way of Punjab Act No.21 of 2020), an order approving the Mode of Partition is appealable.

2. During the course of hearing, learned counsel for the petitioners does not dispute that the order dated 13.03.2024 (Annexure P-4) was amenable to appeal under Section 13 of the Punjab Land Revenue Act (as amended) and submits that the petitioners may be relegated to the remedy of appeal before the learned Collector. He, however, points out that in terms of Section 14 of the Act, the limitation period for filing an appeal against the order approving the Mode of Partition is fifteen days, and since

the petitioners have been pursuing the matter before the Financial Commissioner and thereafter before this Court, the delay in filing such appeal may be condoned.

3. Learned counsel for respondent No.4 as well as learned State counsel do not raise any serious objection to the aforesaid course of action being adopted.

4. Keeping in view the stand taken by the respective parties, the present writ petition is disposed of by relegating the petitioners to avail the remedy of appeal before the learned Collector. It is further directed that in the event the appeal is filed within a period of two weeks from today, no objection with regard to limitation shall be raised.

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

20.08.2025
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No