



LPA-328-2018 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision :02.09.2025

Tarlok Singh and others

...Appellants

Versus

State of Punjab & others

...Respondents

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

Present: Mr. Raghav Soni, Advocate for the appellants.

Mr. Rahul Rampal, Addl. A.G. Punjab.

None for the private respondents.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present appeal, challenge is to the order dated 15.09.2017 passed by the learned Single Bench of this Court in CWP-15232 of 2017 titled as **Tarlok Singh and others vs. State of Punjab and others** by which, the challenge to the orders dated 28.05.2014, 31.03.2015, 10.10.2016 & 18.05.2017 passed by the revenue authorities in the partition proceedings, has been rejected.

2. Learned counsel appearing on behalf of the appellants argues that the partition of property in question was not done in a manner required so that both the parties are given the land appropriately and judicially without causing prejudice to either of the parties and in the present case, the partition ordered qua the property in question is causing prejudice to the



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appellants hence, the partition so ordered may kindly be set aside.

3. We have heard learned counsel for the parties and have gone through the record with their able assistance.

4. The impugned order dated 15.09.2017 which has been passed by the learned Single Judge is as under:-

“The petitioners are aggrieved against the orders of the revenue authorities, i.e. Assistant Collector 1st Grade dated 28.05.2014, Collector dated 31.03.2015, Divisional Commissioner dated 10.10.2016 and the Financial Commissioner dated 18.05.2017, passed in the partition proceedings.

The grievance of the petitioners is that the other party has been given land on the road but it has been categorically recorded by the Assistant Collector 1st Grade in its order dated 28.05.2014 that “the parties have not raised any objection on the document of partition”. If the petitioner has not raised any objection at that time, then on what ground they have been contesting this litigation throughout.

The Courts below have rightly rejected the plea of the petitioner and this Court has also found that there is no merit in this petition and hence, the same is hereby dismissed, though without any order as to costs.”

5. A bare perusal of the above reproduction would show that at the time when the opportunity was given to the appellants to object to the proposal before finalizing the partition qua the property in question, no objection was raised and ample opportunity to do so was given to appellants. Once, at the time when the objection was required to be raised, the same was not raised and the partition proceedings have been finalized as per the

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proposal put forth, hence, the same cannot be challenged at a later stage as the partition proceedings has to come to an end.

6. No perversity in the order dated 15.09.2017 passed by the learned Single Judge has been pointed out by the learned counsel for the appellants rather it is a conceded fact that before finalizing of the partition, a proposal was given to the appellants, which was not objected by the appellants hence, no ground for interference by this Court is made out and the appeal is accordingly dismissed.

7. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

September 02, 2025*aarti**Whether speaking/reasoned : Yes**Whether reportable : No*