



**CM-6198-LPA-2025;
CM-6196-LPA-2025;
CM-6197-LPA-2025 and
CM-6199-LPA-2025 in/and
LPA-2456-2025** 1

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

**(103) CM-6198-LPA-2025;
CM-6196-LPA-2025;
CM-6197-LPA-2025 and
CM-6199-LPA-2025 in/and
LPA-2456-2025
Date of Decision : November 18, 2025**

Gurdev Singh .. Appellant

Versus

**Financial Commissioner (Appeals), Punjab and others
.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Nakul Sharma, Advocate, for the appellant.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-6198-LPA-2025

Present application has been filed seeking condonation of delay of 216 days in filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 216 days in filing the appeal is condoned.

CM-6196-LPA-2025

As prayed for, the application is allowed.

LPA-2456-2025 (O&M)

1. In the present Letters Patent Appeal, the challenge is to the order dated 01.12.2023 (Annexure P-5) passed by respondent No.1

(Financial Commissioner, Punjab) as well as the order dated 24.02.2016



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(Annexure P-1) passed by the respondent No.2 (Tehsildar-cum-Assistant Collector Ist Grade, Banga whereby, the land has been partitioned between the co-sharers, which partition has been upheld by the learned Single Judge vide order dated 17.12.2024 in CWP No.34134 of 2024.

2. Learned counsel for the appellant argues that firstly, the appellant was not served which led to the partition in a manner which is causing prejudice to the appellant and therefore, the partition proceedings should be carried out again.

3. The second argument which has been raised by the learned counsel for the appellant is that the partition has not been carried out in a manner as required and therefore, the partition should be done in a manner which suits the appellant.

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

5. With regard to the first argument that the appellant was not served, the learned Single Judge has already noticed all the facts which are being reiterated for the ready reference. The notices were sent by registered post to the address given in the revenue record which were sent back that the appellant is not residing at the place. Further, a *munadi* was got done in the area before the partition and thereafter, even the publication was done in the newspaper to serve all. Hence, in case the appellant is living in America, he is required to remain vigilant, and the authorities cannot be expected to service upon him in America. Thus, the plea that the appellant



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was not served is incorrect and has rightly been rejected by the learned Single Judge.

6. Further, the grievance is that the partition should be carried out in a manner which is proposed by the appellant. Nothing has come on record to show that any area was in the exclusive possession of the appellant which he claims that the possession should be retained. Rather, the appellant is proposing another mode of partition, other than the one which was proposed and accepted by all the other co-sharers. Since, no specific area that was in the possession of the appellant has been disturbed, the partition which has been carried out, is perfectly valid and legal.

7. No other argument has been raised.

8. Keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present case as the orders dated 17.12.2024 passed by the learned Single Judge and the authorities have not been shown to be perverse either on facts or on law.

9. Accordingly, the appeal is dismissed.

10. Civil miscellaneous application pending if any, also stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

November 18, 2025
harsha

**(YASHVIR SINGH RATHOR)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No