



LPA-3360-2024 (O&M)

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

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LPA-3360-2024 (O&M)
Date of Decision :01.09.2025

Mohit

...Appellant

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Parminder Singh, Advocate for the appellant.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present appeal, challenge is to order dated 03.12.2024 passed by the learned Single Judge of this Court in CWP-32604-2024 by which, the said writ petition filed by the appellant herein challenging the order dated 11.03.2022 (Annexure P/5) passed by the learned Assistant Collector, 1st Grade, Assandh whereby, 'Naksha Bey' in the partition proceedings was approved.

2. Learned counsel appearing for the appellant submits that the learned Single Judge has passed the impugned order without appreciating the fact that the partition proceedings had not been carried out in a manner required and hence, not only the partition proceedings qua the property in question but also the impugned order passed by the learned Single Judge may kindly be set aside.

3. We have heard learned counsel for the appellant and have gone



through the record with his able assistance.

4. It may be noticed that the land of which the appellant was owner of, has been shown in yellow colour at page No.55 of the paperbook, which existed in two different areas and was not in continuity whereas, the land of the private respondents, which is shown in green colour even prior to the partition was in continuity i.e. each portion of land owned by respondents adjoined the other one. The partition of property in question which has been carried out has been shown at page No.56 of the paperbook by which, the total land owned by the appellant as well as private respondents has been made continuous.

5. The argument of the learned counsel for the appellant is that the appellant has been given 03 feet less area of land which had been partitioned on the road side as compared to the respondents which is causing prejudice.

6. It may be noticed that keeping in view the land owned by both of the parties whatever the area of land falls under the Khasra number in question, has been given to respective parties. Merely that appellant got 03 feet less land on the road side while partitioning the property in question does not mean that the partition of said land in question which has been effected is arbitrary and illegal.

7. Further, in paragraph-6 of the impugned order dated 03.12.2024 passed by learned Single Judge, the due reasons have been mentioned by the learned Single Judge while upholding the partition of property in question carried out by the authorities concerned.

8. Learned counsel for the appellant has not been able to show that the reasons given by the learned Single Judge in the impugned order while

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upholding the partition proceedings are factually incorrect or perverse to any settled principle of law. Merely that the appellant intends to have the partition of property in question in a particular manner, same cannot be made a ground to file appeal especially when the partition of the property in question has been effected so as to give due share to the parties concerned keeping in view their ownership over the said land.

9. Keeping in view the totality of the facts and circumstances, no ground for interference by this Court is made out and the present appeal is accordingly dismissed.

3. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 01, 2025

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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No