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

CWP-5509-2026 (O&M)

Date of Decision: 27.03.2026

Amrik Singh Since Deceased Through His LR Sukhwinder Kaur

...Petitioner

Versus

The Financial Commissioner, Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 12.11.2025 passed by Financial Commissioner (Appeals), Punjab whereby his revision petition has been dismissed. He is further seeking setting aside of order dated 09.07.2009 (Mode of partition), order dated 30.07.2019 (Annexure P-7), Sanad Takseem dated 08.01.2020 (Annexure P-8) and warrant of possession dated 08.01.2020 (Annexure P-9) passed by Assistant Collector Grade-I, Bhogpur with respect to land situated at Village Sarmastpur, Tehsil Kartarpur, District Jalandhar.

2. The present petition is filed by LRs of Amrik Singh who was co-sharer of land in dispute. As per petitioner, respondent No.3 filed five separate partition applications on 06.02.2018 before Assistant Collector.

There were more than one co-sharers. None of them was duly served still

mode of partition dated 09.07.2019 was approved and final partition order was passed on 20.07.2019. Sanad Takseem and warrant of possession dated 08.01.2020 were issued. The petitioner preferred revision petition before Revisionary Authority along with application seeking condonation of delay. The Revisionary Authority has dismissed his petition on the ground of delay of 2253 days. The Revisionary Authority has held that there is no reasonable explanation for aforesaid delay.

3. Relevant extracts of impugned order dated 12.11.2025 read as:

“I have heard the arguments advanced by the counsels of parties and have also perused the record and orders of the lower courts. The petitioner has explained that the proceedings were not within knowledge and that information was received only when steps were taken for transfer of tubewell motor connection No. AP-22/361 after the death of Amrik Singh. This explanation has been examined with care, but it cannot constitute a sufficient cause. The petitioner has not shown any document to establish that any effort was made to verify the status of the land, the mutation or the revenue entries at any time after the year 2019. Revenue records are public records, open for inspection and a person claiming succession to agricultural land is expected to check the entries, apply for mutation and confirm the position regarding possession and shares. No circumstance has been placed to show why this was not done. The plea that proceedings were behind the back of the predecessor also cannot justify silence for more than six years. After the death of the predecessor, the successor is required to initiate steps for

mutation, for checking khasra girdawaris, jamabandis and related entries. Nothing has been shown to prove that any such step was taken. The explanation that knowledge was received only at the time of moving for transfer of tubewell connection cannot be accepted, because the record of a tubewell connection is different from the record of partition proceedings. A person cannot reasonably wait for steps relating to a tubewell connection before verifying the status of land which stood in joint ownership. The Supreme Court in P. K. Ramachandran vs. State of Kerala held that limitation cannot be relaxed on sympathetic grounds and that sufficient cause must be strictly proved. The principles laid down in that judgment apply here. The cause shown is vague, unsupported and insufficient. The delay of 2253 days remains unexplained. In view of the above findings, it is held that there is no sufficient cause to condone the delay of 2253 days.

5. Resultantly, the revision petition is dismissed. Copy of this order be communicated to the courts below. After making compliance file be consigned to the record room.

Announced in open Court.

4. Learned counsel representing the petitioner submits that Assistant Collector proceeded ex parte. The mode of service prescribed in the Act was not followed. The zimni order itself disclosed that respondent-Assistant Collector proceeded without proper service upon petitioner and other co-sharers.

5. From the perusal of record, it is evident that there was delay of 2253 days in filing the revision. The respondent has adverted to question of delay and passed a speaking and reasoned order. It is settled

proposition of law that length of delay does not matter, however, there should be explanation for delay. Litigant is not required to explain delay of each and every day, however, there should be plausible reason for delay. This Court does not find any infirmity in the impugned order warranting interference.

6. In the wake of aforesaid discussion and findings, the petition deserves to be dismissed and accordingly ***dismissed***.

7. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

27.03.2026
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No