



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

CWP-9982-1999 (O&M)

Date of Decision: 18.05.2026

Amrik Singh and Others

...Petitioners

Versus

The Financial Commissioner (Appeals-II), Punjab, Chandigarh and
Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Hiten Chugh, Advocate for
Mr. S.S. Salar, Advocate
for the petitioners.

Mr. Arun Jindal, Addl. A.G., Punjab.

Mr. Sandeep Arora, Advocate
for respondent No.3.

Mr. B.S. Mann, Advocate for
Mr. G.S. Nagra, Advocate
for respondents No.4 to 19.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 29.04.1998 (Annexure P-1) as well as orders dated 11.02.1994, 30.08.1994 and 16.10.1994 whereby authorities have held that Gram Panchayat is necessary party in the partition proceedings. They are further seeking direction to Assistant Collector 1st Grade, Dhuri to decide their application seeking partition.

2. Learned counsel representing the respondents submit that one application seeking partition with respect to 5 Khewats was filed

before Assistant Collector. It is settled law that for different Khewats one application can be filed if co-sharers are common. In the case in hand, co-sharers are different, thus, one application could not be filed. The land in question as per revenue record is *Shamlat Deh*, thus, Gram Panchayat is necessary party.

3. Learned counsel representing the petitioners expressed his inability to controvert aforesaid factual position, however, submits that petitioners' application may be adjudicated without associating Gram Panchayat.

4. The matter relates to title of the demised land. The revenue record is disclosing part of the land as *Shamlat Deh*. The Gram Panchayat may not be entitled to share, however, it would not be appropriate to deprive it from participating in the proceedings. No prejudice is going to be caused to the petitioners. There is no dispute with respect to the fact that if co-sharers are not common, one application with respect to more than one Khewats cannot be filed. The petitioners may file fresh application seeking partition for each Khewat if co-sharers are different. With respect to common co-sharers, they may file one application.

5. ***Disposed of*** in above terms.

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

(JAGMOHAN BANSAL)
JUDGE

18.05.2026
Prince Chawla

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