

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7152-2026 (O/M)

Date of decision : 09.04.2026

Bant Singh (since deceased) through his LRsPetitioner

Versus

Financial Commissioner, Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Abhishek Singla, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Senior DAG Punjab.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India, inter alia, is for issuance of a writ in the nature of certiorari for setting aside order dated 06.05.2016 (Annexure P-15), passed by Assistant Collector 1st Grade, Mehal Kalan (in short 'Assistant Collector'), whereby the objections submitted by petitioner to Naksha 'Arra' in the partition proceedings, were dismissed and Naksha 'Arra' was sanctioned.

1.1 A further prayer has been made for setting aside order dated 03.05.2017 (Annexure P-16), passed by learned Collector-cum-ADC, Barnala (in short 'Collector'), whereby an appeal filed by petitioner against order dated 06.05.2016 (Annexure P-15), passed by Assistant Collector concerned, was dismissed.

1.2 Another prayer has been made for setting aside order dated 23.09.2022 (Annexure P-18), passed by learned Commissioner, Patiala Division, Patiala (in short 'Divisional Commissioner') and also order dated 01.08.2025 (Annexure P-20), passed by learned Financial Commissioner (Appeals), Punjab (in short 'Financial Commissioner'), whereby revision petitions, preferred by petitioner against Naksha 'Arra', were dismissed, respectively.

2. Briefly, respondents No. 5 to 11 sought partition of joint land measuring 36 Kanal – 11 Marla, situated at village Chauhan Ke Kalan, Tehsil and District Barnala, vide application (Annexure P-7).

2.1 In the aforesaid partition proceedings, Naksha 'Urur' came to be approved, vide order dated 03.03.2015 (Annexure P-9) passed by the learned Assistant Collector. Petitioner claims that his entitlement in the joint land is to the extent of 19 Kanal – 3 Marla; as he had purchased the said area, vide two sale deeds dated 7.06.2004 and 15.12.2004 (Annexure P-1 and Annexure P-2, respectively); however, in partition proceedings, the petitioner has not been given his due share.

2.2 Feeling aggrieved against Naksha 'Urur', petitioner preferred an appeal before learned Collector, which came to be dismissed, vide order dated 27.01.2016 (Annexure P-10).

2.3 Still aggrieved, petitioner preferred a revision petition (ROR-309-2016) before learned Financial Commissioner, however, during the pendency of aforesaid revision petition, Naksha 'Arra' came to be proposed by Assistant Collector concerned, to which petitioner submitted his objections dated 27.04.2016 (Annexure P-14); however, the

same were dismissed by Assistant Collector concerned, vide order dated 06.05.2016 (Annexure P-15).

2.4 Feeling aggrieved against order dated 06.05.2016 (Annexure P-15), petitioner preferred an appeal before learned Collector, which was dismissed, vide order dated 03.05.2017 (Annexure P-16).

2.5 Still aggrieved, petitioner preferred a revision petition before learned Divisional Commissioner; however, the same was also dismissed, vide order dated 23.09.2022 (Annexure P-18).

2.6 Thereafter, petitioner filed second revision (ROR-125-2023) before learned Financial Commissioner.

2.7 It transpires that both the revision petitions, filed by petitioner i.e. ROR-309-2016 and ROR-125-2023, came to be dismissed, vide a common order dated 01.08.2025 (Annexure P-20).

3. In the aforementioned circumstances, the petitioner has filed the instant civil writ petition for seeking relief(s), as noticed hereinabove.

4. Heard.

5. The only argument raised by learned counsel for petitioner is that he had purchased 19 Kanal – 3 Marla area, vide sale deeds dated 07.06.2004 and dated 15.12.2004 (Annexure P-1 and Annexure P-2, respectively); however, in the partition proceedings, petitioner has been allotted only 13 Kanal – 2 ½ Marla, thereby causing deficiency of 6 Kanal – 1/2 Marla, without any basis.

6. During the course of hearing of the instant civil writ petition, a specific query was raised to learned counsel for petitioner as to what was the entitlement of petitioner in joint khewat, as per Naksha 'Urri'.

6.1 In response to said query, learned counsel for petitioner has fairly stated that his entitlement recorded in Naksha 'Urri' is only to the extent of 12 Kanal - 7 Marla. Therefore, once the entitlement of petitioner in the joint land has been found to be only 12 Kanal – 7 Marla and in the final partition, his due share has been allocated to him; accordingly, no fault can be found with the same.

7. It was further specifically asked from the learned counsel for petitioner as to whether petitioner has ever laid any challenge to entries recorded in the revenue record or challenged his entitlement to 12 Kanal – 7 Marla in the partition proceedings, by filing a civil suit in that regard.

7.1 In response to said query, learned counsel for petitioner has fairly stated that till date, petitioner has not filed any civil suit either challenging entries in the revenue record or challenging the entitlement determined by revenue authorities, while preparing Naksha 'Urri'.

8. Learned Financial Commissioner, while rejecting the claim of petitioner, has returned a specific finding that as per records, petitioner had purchased land from co-sharers, who had sold more than their recorded share, therefore, petitioner cannot claim any land beyond what his vendor was entitled to as per revenue records. It has further been observed by learned Financial Commissioner that petitioner was already in possession of land more than his actual share in joint land and, therefore, there was no error in Naksha 'Urri'.

8.1 Learned counsel for petitioner has failed to dislodge the aforesaid observations made by learned Financial Commissioner.

9. Keeping in view the above discussion, I see no compelling reasons, which may warrant interference by this Court in the present proceedings.

9.1 Resultantly, the instant civil writ petition fails and same is accordingly, dismissed.

10. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

09.04.2026
sjks

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No