



CM-1891-LPA-2026 in/&
LPA-757-2026 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CM-1891-LPA-2026 in/&
LPA-757-2026 (O&M)
Date of Decision :07.04.2026

Dinesh Kumar and others

...Appellants

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Ishnoor Singh Bains, Advocate for the appellants.

* * *

Harsimran Singh Sethi, J. (Oral)

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1. Present application has been filed for condonation of delay of 91 days in filing the present appeal.
2. Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 91 days in filing the present appeal is condoned.

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3. In the present appeal, the challenge is to impugned order dated 12.11.2025 passed by the learned Single Judge of this Court in CWP-29394-2025 whereby, the partition effected between the co-sharers has been upheld and to the order dated 12.02.2026 passed by the learned Single Judge by which, the review petition being RA-CW-66-2026 filed by the appellants herein against the order dated 12.11.2025 passed by learned Single Judge, has been dismissed.
4. Learned counsel appearing for the appellants submits that the



partition which has been effected by the revenue authority is causing prejudice to the appellants as the valuable land has been given to the private respondents as compare to the appellants. Further, one pocket in totality has been given to the private respondents whereas, each and every pocket should have been bifurcated between the co-sharers so as to give equal share to all in each pocket.

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

6. It may be noticed that the land between the co-sharers is in six different pockets which was to be partitioned keeping in view the share of each of the co-sharers. The grievance which is being raised by the appellants qua the two pockets is on the ground that the one valuable pocket of land has been given to the private respondents and another total pocket of land has been given to the private respondents.

7. It may be further noticed that with regard to the valuable land which has been depicted in pocket 'A', the said land is bifurcated by a road and the land has been given to the co-sharers along the road on either of the side. On one side, the land has been given to the private respondents and on the other side of the road land of the appellants exists. Once, the valuable land has been bifurcated keeping in view the road passing through the said land, it cannot be said that the private respondents should have been adjusted in an another pocket rather than giving total land on either side of the road to the appellants only on the ground that the said land is more valuable. Hence, the argument raised by the learned counsel for the appellants that the valuable land has been given to the private respondents excluding the appellants from such allotment, is factually incorrect. The bifurcation cannot be done on the asking of a particular party rather, the same has to be done by the revenue authorities after being convinced that the bifurcation of the land between the co-sharers is done in free and fair manner.



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8. In the present case, the land has been allotted in a free and fair manner providing land abutting the road to all the co-sharers. Hence, the ground taken by the appellants that the valuable land has been given to a particular co-sharer ignoring the another co-sharer, is incorrect.

9. The second argument which is being raised by the learned counsel for the appellants is that, in one of the pockets, the total land has been given to the private respondents.

10. It may be noticed that the said pocket consists of 04 kanals and 12 marlas. The said land if bifurcated, will leave nothing to either of the co-sharers to enjoy. Not only this, but the other pocket as well has been exclusively given to the appellants. Once, a particular pocket has been exclusively given to the appellants, giving a small pocket of land to the private respondents cannot be treated as arbitrary and illegal. The land has to be apportioned in a manner that the same could be enjoyed and the same has not to be mathematically bifurcated between the co-sharers, so as to take away the utility of the land in question.

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

12. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

April 07, 2026
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Whether speaking/reasoned : Yes
Whether reportable : No