



CWP-8504-2026 (O&amp;M)

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

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CWP-8504-2026 (O&amp;M)

Date of decision: 09.04.2026

**Gurjant Singh**

....Petitioner

Vs.

**Financial Commissioner, Punjab and others**

....Respondents

**CORAM : HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Suresh Singla, Advocate  
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

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**HARSH BUNGER J. (Oral)**

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari, for setting aside the order 01.08.2025 (Annexure P-14) passed by learned Financial Commissioner (Appeals), Punjab.

2. Briefly, respondents No.5 to 11 herein, sought partition of joint land measuring 36 kanal - 19 Marla. During the partition proceedings, mode of partition dated 03.03.2015 (Annexure P-6) came to be approved, and on that basis *Naksha Arra* was prepared by field staff.

2.1 Upon receipt of *Naksha Arra* on the case file, objections of respective co-sharers were called, wherein the petitioner submitted objections dated 25.04.2016 (Annexure P-8). It appears that the objections submitted by petitioner to the *Naksha Arra* came to be dismissed by the learned Assistant Collector 1<sup>st</sup> Grade, Mehal Kalan vide order dated 06.05.2016 (Annexure P-9).

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3. Feeling aggrieved against the aforesaid order dated 06.05.2016 (Annexure P-9), the petitioner preferred an appeal before the learned Collector-cum-Additional Deputy Commissioner, Barnala, which was dismissed vide order dated 03.05.2017 (Annexure P-10)

3.1 Still dissatisfied, the petitioner filed a revision petition before the learned Commissioner, Patiala Division, Patiala, which was also dismissed vide order dated 23.09.2022 (Annexure P-12).

4. It appears that thereafter, the petitioner preferred second revision petition (ROR No.145 of 2023) before the learned Financial Commissioner (Appeals), Punjab, which has also been dismissed vide order dated 01.08.2025 (Annexure P-14).

5. In the aforementioned circumstances, the present writ petition has been filed before this Court for seeking relief(s) as noticed hereinabove.

6. Learned counsel appearing for the petitioner while referring to the *Aks Shajra* [(at page 40 of the instant petition) attached with *Naksha Arra* (Annexure P-7)], submits that the land under partition is comprised in two separate land pockets and he has been allocated area, which is depicted in brown colour. It is the contention of the learned counsel for the petitioner that so far as the area which has been allocated to the petitioner in second pocket i.e. land comprised in Khasra No.972/2, the same has not been provided with any path/passage.

7. During the course of hearing, learned counsel for the petitioner was specifically asked to point out from any material as to whether the second pocket under partition touches any passage from any side. However,

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learned counsel for the petitioner has failed to refer to any such document indicating that second pocket under partition touches any passage/path from any side.

8. Keeping in view the aforesaid stand taken by the learned counsel for the petitioner, once the second pocket under partition is not aligned to any passage (or touches any passage) from any side, then in the partition proceedings, the learned Assistant Collector has no jurisdiction to grant passage from the land of third party, who is neither party to the partition proceedings nor his land is subject matter of partition proceedings.

9. That apart, it has also not been shown as to what prejudice has been caused to the petitioner by the manner in which the partition has been carried out.

10. Considering the totality of circumstances, I find no merit in the instant writ petition and the same is accordingly, dismissed.

11. All the pending application(s), if any, shall also stand closed.

**09.04.2026***ankit***(HARSH BUNGER)  
JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No