



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

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**CM-2169-LPA-2026 in/and
LPA-871-2026 (O&M)
Decided on :01.04.2026**

SUKHA SINGH ALIAS SUKHWANT SINGH

...Appellant

Versus

STATE OF HARYANA AND OTHERS

. . . Respondents

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

PRESENT: Mr. Amit Jain, Senior Advocate with
Ms. Aeshna Jain, Advocate for the appellant.

HARSIMRAN SINGH SETHI , J. (Oral)

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The prayer in the present application is for condonation of delay of 92 days in filing the present appeal (**LPA-871-2026**).

Keeping in view the averments enumerated in the application, which are duly supported by an affidavit, the same is allowed. Consequently, the delay of 92 days in filing the present appeal (**LPA-871-2026**) is condoned.

LPA-871-2026

1. In the present appeal, the challenge is to the impugned order dated 21.11.2025 passed by the learned Single Judge in CWP No. 34763 of 2025 and the order dated 18.02.2026 passed in RA-CW-77-2026, whereby the order dated 12.03.2025 (Annexure P-7) passed by the revenue authorities partitioning the land in question among all co-sharers as per their respective shares, has been upheld.

2. Learned Senior Counsel appearing on behalf of the appellants

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submits that the partition proceedings carried out by the revenue authorities, which was further upheld by the learned Single Judge, were not conducted in the proper manner and the same is causing prejudice to the appellant as, the frontage on the road qua the land partitioned for which the appellant was entitled for, keeping in view his share in land in question, coupled with share of the private respondents, has not been determined in a manner required.

3. Learned Senior counsel for the appellant further submits that, had the proper method been followed by the authorities concerned for partition of land in question, the land ultimately allotted to the appellant in pursuance of such partition would have been considerably different.

4. We have heard learned Senior counsel for the appellants and have gone through the case file with his able assistance.

5. The argument raised by the learned Senior Counsel is that the land in question ought to have been partitioned mathematically among the co-sharers so as to mean that each and every aspect qua the land is seen and every such aspect is to be considered in a manner that each co-sharer gets land in exactly equal manner. However, sometime it is not possible keeping in view the various aspects.

6. Further, on being asked, as to how much frontage on the road the appellant would have got keeping in view his share of land, learned Senior counsel for the appellant submits that the said fact has not been brought on record before the authorities concerned as well as before the

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learned Single Judge.

7. That being so, the argument of the learned Senior counsel for the appellant that the frontage on the road, in the land partitioned and share given to appellant is less than what has been given to the private respondents, cannot be accepted so as to set-aside the partition proceedings, which have already been upheld by the learned Single Judge vide order dated 21.11.2025.

8. Further argument of the learned Senior counsel for the appellant is at the time when private respondents purchased the property, the frontage on the road acquired by them was less than the frontage on the road that has now been allotted to them after finalization of the partition proceedings.

9. Once, the land has been partitioned in accordance with the shares of each shareholder, any frontage in the partitioned land on the road at the time of purchasing the property, will not come either in favour or against any of the co-sharers, as, all the co-sharers have to be given the benefit of proportionate frontage upon the road keeping in view of their respective shares. Once, keeping in view the shares of the appellant as well as the private respondents, such frontage has been allotted by the authorities concerned vide order dated 12.03.2025 (Annexure P-7), which order has been upheld by the learned Single Judge, same cannot be set-aside merely because such partition is not according to wishes of the appellant.

10. At this stage, the learned Senior counsel submits that all the co-sharers ought to have been allotted equal share in the second parcel of land in question, whereas the private respondent has not been given any such

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portion of land.

11. It may be noticed that in case, keeping in view the respective shares of each co-shares, the land of the private respondents has already been accommodated in the first parcel, merely that the respondent has not been allotted land in the second parcel cannot be a ground to set-aside the partition proceedings especially when the other co-sharers have not raised any grievance qua the mode of partitions proceedings.

12. Even otherwise, no perversity has been shown to this Court with the impugned order dated 21.11.2025 passed by the learned Single Judge in CWP No. 34763 of 2025 and order dated 18.02.2026 passed in RA-CW-77-2026, that the same are contrary to the facts or the settled principle of law.

13. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

14. Accordingly, the present appeal is dismissed.

15. Pending civil miscellaneous application, if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

**(DEEPAK MANCHANDA)
JUDGE**

01.04.2026

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Whether speaking/reasoned: ~~Yes/No~~

Whether Reportable: ~~Yes/No~~