

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RA-CW-161-2026 in
CWP-688-2026

Date of decision : 06.04.2026

Sukhdev Singh and another

..... Petitioners

Versus

Financial Commissioner (Appeals), Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Vikas Mehsempuri, Advocate
for review-applicant/respondent No. 3.

Mr. Navneet Singh, Additional A.G. Punjab.

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HARSH BUNGER, J. (ORAL)

1. The instant review application (RA-CW-161-2026) has been filed by review-applicant/respondent No. 3, seeking review of order dated 19.01.2026, passed by this Court in CWP-688-2026, the relevant extract of which reads as under :-

“2. Learned counsel for the petitioners inter alia submits that the petitioners have challenged the partition proceedings by filing the revision petition (ROR-1032-2025) before the learned Financial Commissioner (Appeals), Punjab, wherein the delay in filing the revision petition has been condoned and notices has been issued to the respondents in the revision petition. However, learned Financial Commissioner has rejected the stay application filed along with the revision petition without recording any reasons. It is submitted that the order dated 13.11.2025 (Annexure P-5) to the extent, whereby the stay application of

the petitioners has been dismissed, is totally non-speaking and un-sustainable in the eyes of law.

3. *Given the nature of order being passed, notice of motion is being issued only to respondents No. 1 and 2, at this stage, and there is no necessity to seek any response from official respondents No. 1 and 2 or even to serve private respondents.*

4. *Mr. Harpreet Singh, AAG, Punjab, appears in pursuance of the advance copy of paper book having already been supplied to the State of Punjab. He fairly submits that the order dated 13.11.2025 (Annexure P-5) to the extent, whereby the stay application submitted by the petitioners has been rejected, is non-speaking order as it is not forthcoming as to what has weighed in the mind of learned Financial Commissioner in rejecting the stay application. Learned State counsel further submits that appropriate orders can be passed for expeditious disposal of the revision petition.*

5. *Learned counsel for petitioners does not oppose the aforesaid course being adopted.*

6. *Keeping in view the aforesaid submissions made by learned counsel for the respective parties, the present writ petition is disposed of, by directing the learned Financial Commissioner to decide the revision petition preferred by the petitioners, within a period of four months from the date already fixed i.e. 12.02.2026, after affording due opportunity of hearing to all the concerned parties by passing a speaking order.*

6.1 *It is further directed that till the revision petition is finally decided, the parties shall maintain status quo (as existing today).*

6.2 *It is also made clear that the petitioners shall not seek unnecessary adjournments in the aforesaid revision petition.*

7. *The instant writ petition is disposed of in the aforestated terms.”*

2. The instant review application is stated to have been filed in pursuance to order dated 25.02.2026, passed by a Division Bench of this Court in LPA-552-2026, the relevant extract of which reads as under :-

“1. In the present appeal, the challenge is to be impugned order dated 19.01.2026 passed by the learned Single Judge of this Court in CWP-688-2026.

2. After arguing for some time, learned counsel for the appellant submits that the present appeal may kindly be disposed of having been not pressed any further with liberty to the appellant to file a review petition before the learned Single Judge of this Court that the impugned order has been passed at her back without serving her which is causing prejudice to the appellant.

3. Ordered accordingly.”

3. During the course of hearing of instant review application, it is not disputed by learned counsel appearing for review-applicant/respondent No. 3 that order dated 13.11.2025 (Annexure P-5), passed by learned Financial Commissioner (Appeals), Punjab in ROR-1032-2025, dismissing the stay application, filed by writ petitioners, is a totally non-speaking order.

4. Faced with this situation, learned counsel appearing for review-applicant/respondent No. 3 submits that in case the order dated 13.11.2025 (Annexure P-5) was a non-speaking order, then this Court should have remanded the matter back to learned Financial Commissioner (Appeals), Punjab, for deciding the stay application afresh.

5. I have considered the submission raised on behalf of review-applicant/respondent No. 3; however, I find no merit in the same. The order under review has been passed by taking into consideration the interests of all the parties inasmuch as that on one side, the parties have

been directed to maintain status quo and on the other hand, a direction has been issued to learned Financial Commissioner (Appeals), Punjab, to finally decide the revision petition within a period of four months from the date which was already fixed in the matter i.e. 12.02.2026. The said period shall expire on 12.06.2026. Apparently, as on date, already two months have expired and further period of two months remain for taking final decision by learned Financial Commissioner (Appeals), Punjab.

5.1 That apart, learned counsel appearing for review-applicant/respondent No. 3 has failed to point out as to what serious prejudice has been caused to the review-applicant/respondent No. 3 from the impugned order dated 19.01.2026, except the plea that on account of status quo order, the writ petitioners will not hand over possession of the land to review-applicant/respondent No. 3.

5.2 Considering the attending circumstances, where the partition proceedings have already been challenged before learned Financial Commissioner (Appeals), Punjab, and notices stand issued, it would be in the interest of justice if the parties maintain status quo. In case, review-applicant/respondent No. 3 succeeds in taking possession during the pendency of revision petition before learned Financial Commissioner (Appeals), Punjab, then the very purpose of filing the revision petition would stand frustrated.

5.3 On the other hand, assuming that the possession was to be delivered to review-applicant/respondent No. 3 during the pendency of challenge to partition proceedings and eventually the revision petition,

filed by writ petitioners was to be allowed, then it would have resulted in multiple litigation, which is never in the larger interest of the parties.

6. In my considered view, the direction to learned Financial Commissioner (Appeals), Punjab, to finally decide the revision petition, filed by writ petitioners, within a period of four months from the date already fixed in the matter i.e. 12.02.2026 and in the meanwhile the parties to maintain 'Status Quo', is a reasonable direction, which does not call for any interference by this Court in the present review proceedings.

7. Before parting with the order, it is required to be noticed here that even after this Court had pronounced dismissal of instant review application, learned counsel appearing for review-applicant/respondent No. 3 continued with his arguments. The said conduct of the counsel appearing for review-applicant is deprecated and taking a lenient view, learned counsel is warned to be careful in future.

8. In view of the above, the present review application is dismissed.

9. All pending applications (if any) shall also stand closed.

(HARSH BUNGER)
JUDGE

06.04.2026
sjks

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