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

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**CWP-28784-2025 (O&M)  
Date of Decision: 25.09.2025**

Mahender

....Petitioner

Versus

Commissioner, Faridabad Division and others

....Respondents

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

Present : Mr. Onkar Rai, Advocate  
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

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**HARSH BUNGER, J. (Oral)**

This petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for setting aside order dated 27.04.2021 read with order dated 03.06.2021 (Annexure P-1) whereby the final order of partition has been passed by the Assistant Collector 2<sup>nd</sup> Grade, Tigaon.

1.1 A further prayer has been for setting aside Sanad Taksim dated 02.05.2023 (Annexure P-4).

1.2 Another prayer has been made for setting aside order dated 21.12.2022 (Annexure P-2) passed by the learned Collector, Faridabad and also order dated 04.12.2024 (Annexure P-9) passed by learned Commissioner, Faridabad Division, Faridabad.

2. Briefly, respondents No.3 to 7 herein filed an application seeking partition of joint land measuring 214 Kanals 16 Marlas, which came to be allowed vide order dated 27.04.2021 and the said order was



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subsequently corrected vide order dated 03.06.2021 (Annexure P-1, collectively).

2.1 Petitioner is stated to have challenged the aforesaid partition orders by filing an appeal before the learned Collector, Faridabad, however the same was dismissed vide order dated 21.12.2022 (Annexure P-2).

2.2 Thereafter, the petitioner is stated to have filed a revision petition (ROR No.311 of 2023) before the learned Financial Commissioner, Haryana, which came to be disposed of vide order dated 12.10.2023 (Annexure P-6) by relegating the petitioner to file his revision before the learned Commissioner, in view of the fact that the Haryana Land Revenue Act was amended vide Haryana Act No.12 of 2017 notified on 10.04.2017, whereunder the powers of revision had been conferred upon the Divisional Commissioner.

2.3 During the pendency of revision petition (ROR No.311 of 2023), it appears that the Sanad Taksim came to be issued by the Assistant Collector on 02.05.2023 (Annexure P-4).

2.4 Thereafter, the petitioner preferred a revision before the learned Commissioner, Faridabad Division, Faridabad, which has been dismissed vide order dated 04.12.2024 (Annexure P-9).

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

4. Heard.

5. Learned counsel for the petitioner has primarily raised two submissions, firstly, that the petitioner had installed a submersible pump in Rectangle No.22 Killa No.21, however, the said area has not been given to the petitioner.



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5.1 The other submission raised by learned counsel for the petitioner is that the petitioner has been allocated area which adjoins the *naala*, whereas the other co-sharers have not been allocated land near the *naala*.

6. I have considered the aforesaid submissions raised on behalf of the petitioner, however I do not find any merit in the same.

7. A perusal of the objections (Annexure P-14) filed by the petitioner to the proposed *Naksha 'Kha'* reveals that although a plea was taken regarding installation of a tubewell, however in my considered view, the said objection was vague, as it does not specify in which *killa number* the tubewell was installed.

8. So far as the other submission that the petitioner has been allocated area adjoining to the *naala*, it is also observed that no such objection was raised to the proposed *Naksha 'Kha'*.

9. Once the petitioner had the opportunity to raise all objections concerning the mode and manner in which the blocks of the co-sharers were carved out in the proposed *Naksha 'Kha'*, and having failed to do so; he cannot, after finalization of the partition proceedings by way of *Sanad Taksim*, be permitted to reopen the same by challenging the allocation of shares to the respective co-sharers.

10. No other argument was raised.

11. In view of the above, I find no merit in the instant writ petition and the same is, accordingly, dismissed.

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

**25.09.2025**

*Himani*

**(HARSH BUNGER)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No