



CWP-8012-2025 (O&amp;M)

-1-

122

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

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**CWP-8012-2025 (O&M)  
Date of Decision: 25.08.2025**

Shamsher Singh

....Petitioner

Versus

Financial Commissioner, Haryana and others

....Respondents

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

Present : Mr. Rajender Singh Malik, Advocate  
for the petitioner.

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**HARSH BUNGER, J. (Oral)****CM-4756-CWP-2025**

This is an application filed under Section 151 of the Code of Civil Procedure for placing on record the *jamabandis* for the year 2004-05 and 2014-15 as Annexures P-23 to P-25 and seeking exemption from filing certified/true typed/photo copies of the same.

For the reasons mentioned in the application, the same is allowed and Annexures P-23 to P-25 are taken on record, subject to all just exceptions.

Application stands disposed of accordingly.

**CM-7841-CWP-2025 and  
CM-7840-CWP-2025**

These are the applications filed under Section 151 of the Code of Civil Procedure for placing on record the Sanad Takseem dated 24.01.2018 as Annexure P-26 and seeking exemption from filing certified/true typed copy of Annexure P-26.



**CWP-8012-2025 (O&M)**

-2-

For the reasons mentioned in the applications, the same are allowed and Annexure P-26 is taken on record, subject to all just exceptions.

Applications stand disposed of accordingly.

**CWP-8012-2025 (O&M)**

The instant Writ Petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking a writ in the nature of Certiorari for setting aside order dated 20.12.2017 (Annexure P-14) whereby *Naksha Bey* was approved by the learned Assistant Collector 1<sup>st</sup> Grade, Pataudi and order dated 24.01.2018 (Annexure P-15) whereby *Naksha Zeem* was also approved and *Sanad Takseem* (instrument of partition) was issued.

1.1 A further prayer has been made for setting aside order dated 19.12.2018 (Annexure P-17) passed by the learned Collector, Pataudi, order dated 07.06.2022 (Annexure P-19) passed by the learned Commissioner, Gurugram Division, Gurugram and order dated 23.01.2025 (Annexure P-21) passed by the learned Financial Commissioner, Haryana.

2. Briefly, respondent No.5- Kishan Lal filed an application seeking partition of joint land comprised in Khewat No.41 (as per *jamabandi* for the year 2004-05) situated at Village Lohchab, Tehsil Pataudi, District Gurugram. In the said partition proceedings, the mode of partition (Annexure P-2) was approved.

2.1 It transpires that after the mode of partition (Annexure P-2) was approved, *Naksha Bey* was called from the field staff, the same was subsequently approved vide order dated 20.12.2017 (Annexure P-14).

2.2 Thereafter, *Naksha Zeem* was also approved and Sanad Takseem (instrument of partition) was issued vide order dated 24.01.2018 (Annexure P-15).

2.3 Feeling aggrieved against the partition orders, the petitioner



**CWP-8012-2025 (O&M)**

-3-

herein preferred an appeal before the learned Collector, Pataudi, similarly other co-sharers namely Hansraj and Ram Niwas also filed their separate appeals before the learned Collector, Pataudi, however, all the aforesaid appeals were dismissed vide a common order dated 19.12.2018 (Annexure P-17).

2.4 Still aggrieved, the petitioner preferred a revision petition before the learned Commissioner, Gurugram Division, Gurugram, similarly, the other co-sharer namely Hansraj also filed a separate revision petition before the learned Commissioner, Gurugram Division, Gurugram. Both the aforesaid revision petitions were also dismissed vide a common order dated 07.06.2022 (Annexure P-19).

2.5 Still dissatisfied, the petitioner preferred a second revision petition (ROR No.497 of 2022) before the learned Financial Commissioner, Haryana. Similarly, other co-sharer namely Hansraj also filed a separate revision petition (ROR No.558 of 2022) before the learned Financial Commissioner, Haryana. Both the aforesaid revision petitions were also dismissed vide a common order dated 23.01.2025 (Annexure P-21).

3. In the aforementioned circumstances, the petitioner has filed the instant writ petition before this Court.

4. During the course of hearing, learned counsel for the petitioner has raised only two arguments. Firstly, that the land comprised in Khasra No.66, 101 and 121 was recorded as *gair mumkin* as per the revenue record (*jamabandi* for the year 2004-05), however, the same has been wrongly partitioned by the revenue authorities. The second submission raised on behalf of learned counsel for the petitioner is that the land comprised in Killa No.4 of Rectangle No.24 is more valuable than the other land, however, the same has been allocated only to the share of respondent



**CWP-8012-2025 (O&M)**

-4-

No.5- Kishan Lal.

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

5.1 As regards the first contention raised on behalf of the petitioner that land comprised in Khasra Nos. 66, 101 and 121 was recorded as *gair mumkin* and has been wrongly partitioned by the revenue authorities, it is observed from the Sanad Takseem (Annexure P-26) that the aforesaid khasra numbers were made a part of the partition application as they formed a part of the joint khewat, however, while carrying out the final partition, the aforesaid three khasra numbers has been kept joint between all the co-sharers and has not been subjected to partition. In this view of the matter, the first contention raised by learned counsel for the petitioner is rejected.

5.2 As far as second contention of the petitioner is concerned that the land comprised in Khasra No.4 of Rectangle No.24 is more valuable than the other land, learned counsel for the petitioner has failed to refer to any material/document to show that the said khasra No.4 is more valuable than the other land which was subject matter of partition. Rather a perusal of *jamabandi* for the year 2004-05 (Annexure P-23) would show that Khasra No.4 of Rectangle No.24 is recorded as *chahi* and so also the other khasra numbers which have been subjected to partition.

5.3 Therefore, in the absence of any material to indicate that the Killa No.4 of Rectangle No.24 is more valuable or land comprised in Killa No.4 of Rectangle No.24 is either located on the road or near the village so as to indicate that the land may carry more valuation, the said plea of the petitioner is therefore rejected.

6. That apart, learned counsel for the petitioner has also failed to point out as to what prejudice has been caused to the petitioner by the



**CWP-8012-2025 (O&M)**

-5-

manner in which the final partition has been carried out. It is not the case of the petitioner that he has not been allotted land as per his due entitlement.

7. Keeping in view the above, I do not find any merit in the instant writ petition, therefore the same is accordingly dismissed.

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

**25.08.2025**

*Himani*

**(HARSH BUNGER)  
JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No