

2025:PHHC:098971



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

CWP-6663-2025

Date of Decision: 04.08.2025

Jai Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside *Sanad Takseem* dated 21.09.2015 (Annexure P-10) issued by the learned Assistant Collector, Ist Grade, Thanesar and order dated 27.01.2025 (Annexure P-20) passed by the learned Financial Commissioner, Haryana.

2. Briefly, respondents No.5 to 7 filed an application for the partition of joint land measuring 85 Kanal-12 Marla, comprised in Khewat No.185/178 (as per *jamabandi* for the year 2004-05), situated at Village Amin, Tehsil Thanesar, District Kurukshetra.

2.1 In the aforesaid partition proceedings, a Mode of Partition (Annexure P-3) was prepared, and on that basis, *Naksha Bey* was prepared

and subsequently approved vide order dated 04.02.2015 (Annexure P-5).

2.2 Feeling aggrieved against the aforesaid order dated 04.02.2015 (Annexure P-5), the petitioner preferred an appeal before the learned Collector, Thanesar, which was dismissed vide order dated 19.08.2015 (Annexure P-7).

2.3 Still dissatisfied, petitioner filed a revision petition before the learned Divisional Commissioner, Ambala.

2.4 It appears that in the meanwhile, the learned Assistant Collector, Ist Grade, Thanesar issued *Sanad Takseem* dated 21.09.2015 (Annexure P-10).

2.5 The learned Divisional Commissioner, Ambala, vide order dated 25.10.2021 (Annexure P-13), allowed the revision filed by the petitioner and remanded the matter to the learned Collector, Thanesar.

2.6 The aforesaid order dated 25.10.2021 (Annexure P-13) was challenged by respondent No.5 by filing a revision petition (ROR No.123 of 2022-23) before the learned Financial Commissioner, Haryana, which was allowed vide order dated 30.08.2024 (Annexure P-15).

2.7 Thereafter, the petitioner approached this Court by filing a writ petition bearing CWP No.25322 of 2024, however, the same was dismissed vide order dated 30.09.2024 (Annexure P-16), whereby order dated 30.08.2024 (Annexure P-15) passed by the learned Financial Commissioner, Haryana, was upheld.

2.8 Thereafter, the petitioner filed a revision petition (ROR No.333 of 2023-24) before the learned Financial Commissioner, Haryana, wherein he challenged *Sanad Takseem* dated 21.09.2015 (Annexure P-10), however, the same was dismissed vide impugned order dated 27.01.2025 (Annexure P-20).

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

4. Heard.

5. In the present case, respondents No.5 to 7 sought partition of the joint land, wherein a Mode of Partition was prepared and *Naksha Bey* was approved vide order dated 04.02.2015 (Annexure P-5). The petitioner challenged the said order by filing an appeal before the learned Collector, Thanesar, however, the same was dismissed vide order dated 19.08.2015 (Annexure P-7). Still aggrieved, the petitioner filed a revision petition before the learned Divisional Commissioner, Ambala. During the pendency of this revision, the partition proceedings were concluded with the issuance of *Sanad Takseem* dated 21.09.2015 (Annexure P-10). Subsequently, the learned Divisional Commissioner allowed the petitioner's revision vide order dated 25.10.2021 (Annexure P-13) and remanded the matter to the learned Assistant Collector, Ist Grade, Thanesar, directing to pass a speaking order. The said order dated 25.10.2021 (Annexure P-13) was challenged by respondent No.5 by way of filing a revision petition (ROR No.123 of 2022-23) before the learned Financial Commissioner, Haryana, which was allowed vide order dated 30.08.2024 (Annexure P-15). Thereafter, the petitioner challenged the Financial Commissioner's order before this Court by filing a writ petition bearing CWP No.25322 of 2024, which was dismissed vide order dated 30.09.2024 (Annexure P-16).

6. It is worth noting that in the earlier round of litigation before this Court, vide CWP No.25322 of 2024, the challenge was against the *Naksha Bey*, which was upheld by this Court vide order dated 30.09.2024 (Annexure P-16). Subsequently, the petitioner challenged the *Sanad Takseem*

dated 21.09.2015 (Annexure P-10) by filing another revision petition (ROR No.333 of 2023-24) before the learned Financial Commissioner, Haryana, which was dismissed vide the impugned order dated 27.01.2025 (Annexure P-20).

7. The present writ petition has been filed challenging the *Sanad Takseem* dated 21.09.2015 (Annexure P-10) and the order dated 27.01.2025 (Annexure P-20) passed by the learned Financial Commissioner, Haryana.

8. In my considered view, since the petitioner's challenge to the *Naksha Bey* has been dismissed by this Court vide order dated 30.09.2024 (Annexure P-16) passed in CWP No.25322 of 2024, and the *Naksha Zeem* was prepared based on the approved *Naksha Bey*, resulting in the issuance of the *Sanad Takseem*, no relief can be granted to the petitioner in the present proceedings.

9. That apart, learned counsel for the petitioner has failed to point out as to how the final partition is not in consonance with the sanctioned Mode of Partition or how the *Sanad Takseem* is at variance from the approved *Naksha Bey*.

10. Keeping in view the totality of circumstances, I find no merit in the present writ petition and the same is dismissed, accordingly.

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

04.08.2025*Apurva***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No