



**LPA-1061-2025 (O&M)**

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

**(111)**

**LPA-1061-2025 (O&M)**

**Date of Decision : September 02, 2025**

**Nirmal Singh (deceased) through LR Harjinder Singh and another**

**.. Appellants**

**Versus**

**State of Punjab and others**

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Anju Bansal, Advocate, for the appellants.

**HARSIMRAN SINGH SETHI J. (ORAL)**

**CM-2615-LPA-2025**

Present application has been filed for impleading legal representatives of the appellant Nirmal Singh, who unfortunately died on 08.11.2024, during the pendency of the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, present application is allowed. Legal heirs of the appellant Nirmal Singh, the details of whom are given in para 2 of the application, are allowed to be impleaded in the present appeal and the amended memo of parties attached with the present application is taken on record.

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1. In the present appeal, the challenge is to the order dated 23.01.2025 passed by the learned Single Judge by which the Civil Writ

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Petition No.26511 of 2023 filed by the appellant challenging the partition, has been dismissed.

2. Learned counsel for the appellant argues that the partition which has been done, is in a manner that the same is not serving the purpose as the land allotted in Khasra No. 263/1 is not adequate to construct the house being a triangular piece of land.

3. A bare perusal of the order passed by the learned Single Judge shows that no grievance with regard to the allotment of the land in Khasra No.19/3 has been raised hence, raising the said question before this Court in appeal so as to impugn the judgment of the learned Single Judge, cannot be allowed.

4. Learned counsel for the appellant submits that the land which has been bifurcated, is not keeping in view the value of the land and more valuable land has been given to the respondents as compared to the appellant.

5. Though, a finding has been recorded by the learned Single Judge that no such material evidence has been brought on record to prove that the land allotted in Khasra No.263/1 is of different valuation but still the opportunity was given to the appellant in the appeal to prove the same but no such material evidence has been brought even before this Court to prove that the land which has been allotted in favour of the respondents while partitioning the same, is more valuable. In the absence of any such record shown to this Court also, it cannot be held that the land which has been



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allotted to the respondents is more valuable as compared to the land allotted to the appellant herein.

6. The last argument which has been raised by the learned counsel for the appellant is that the land which has been allotted to the respondents has more than one passage whereas, the said benefit has not been extended to the appellant.

7. It may be noticed that in paragraph 6 of the order dated 23.01.2025 passed by the learned Single Judge, the said argument has been considered and a finding has been recorded that the land which has been allotted to the appellant in Khasra No.19/3 is falling on more than one passage which finding has not been rebutted in the appeal while addressing the arguments.

8. No other argument was raised.

9. Keeping in view that no perversity has been shown in the order dated 23.01.2025 passed by the learned Single Judge, no interference is called for by this Court in the facts and circumstances of the present case.

10. Accordingly, the appeal is dismissed.

11. Civil miscellaneous application pending if any, also stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**September 02, 2025**  
*harsha*

**(VIKAS SURI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No