



19/08/10  
20/8/10

This appeal has been filed by the counsel of appellant Sh. Parveen Kaur on 19/08/10. These copies of appeal to be placed on file; proceedings of lower court are stayed till quiet number is filed. Further order respondents to be summoned through Mushkuri mendicis! Lower court file may also be called for.

19/08/10

IN THE COURT OF S.D.M. EXERCISING THE POWERS OF COLLECTOR, AT  
BALACHAUR.

RAJATAN LAL SON OF DAULAT RAM SON OF BABU RESIDENT OF VILLAGE  
MANDER, TEHSIL BALACHAUR, DISTRICT S.B.S.NAGAR.

.....APPELLANT / APPLICANT

VERSUS

1. MADAN LAL
2. TIRATH RAM
3. PREM CHAND
4. MOHINDER PAL
5. RAJPAL
6. JOGINDER PAL
7. VED PARKASH SONS OF PARAS RAM SON OF BHAGWANA
8. GURDEV SINGH
9. HARBANS SINGH SONS OF ATMA SON OF BHAG SINGH
10. KIRANPREET KAUR
11. KAMALPREET KAUR DAUGHTERS OF RANBIR SINGH SON OF RAM SINGH
12. PIRTHI RAM SON OF SITA RAM
13. DALIP CHAND SON OF HANS RAJ SON OF DAYA RAM

ALL RESIDENT OF VILLAGE BEER MANDER, TEHSIL BALACHAUR, DISTRICT  
S.B.S.NAGAR.

.....RESPONDENTS.

Appeal against the impugned order dated 28/07/2010 passed by A.C. Ist. Grade, Balachaur.

Claim in appeal: - To set aside the order dated 28/07/2010 passed by A.C. Ist grade, Balachaur and to order partition according to the objections raised by the appellant and accepted by A.C. Ist Grade vide order dated 29/06/2010.

Grounds of appeal: -

1. That the Learned lower court has not applied its mind while deciding case.
2. That the order dated 28/07/2010 is no order in the eyes of law.
3. That the order of Learned Lower court is based upon surmises and conjectures as well as on caprice and whims.
4. That the Naqsha 'Bey' is one sided and looks to have been prepared to give benefit to the respondent.
5. That the appellant filed objections against Naqsha 'Bey' which was accepted by the A.C. Ist grade vide order dated 29/06/2010 as per the objections raised by the appellant. But to a great surprise accepted version of appellant was reviewed by the A.C. Ist grade vide

order dated 26/07/2010 at the back of appellant followed by the order under appeal. It is pertinent to mention here that there is no provision in the Punjab Land Revenue Act, giving power to a revenue officer to review its own order as and when desired. Thus, A.C.1st grade has by passed the normal provisions of law vide passing the order dated 26/07/2010 and 28/07/2010.

6. That at least the appellant should have been given land on the eastern side of khasra Nos. 10 & 11 adjoining to the southern passage.
7. That the order under appeal is not speaking order in the eyes of law and is against natural justice.
8. That the land in dispute is situated within the local limits of jurisdiction of this court. Hence this Hon'ble Court has jurisdiction to try this application.
9. That the appeal is within time after excluding time spent in obtaining copy of the order under appeal.
10. That the requisite court fee has been affixed on the application.
11. It is therefore prayed that the appeal may kindly be accepted and the order dated 26/07/2010 & 28/07/2010 may kindly be set aside and the implementation of order under appeal in the revenue record may kindly be stayed and land on the eastern side of khasra Nos. 10 & 11 adjoining to the southern passage of the property under partition according to his share by ordering partition in view of the objections raised by the appellant may kindly be given to appellant while making the separate qurrah of the appellant in the interest of justice.

Verification:

Verified that the contents contained in the above paras from 1 to 11 of this application are true and correct to the best of my knowledge and belief.

Place: Balachaur

Dated: 20/08/2010

Rattan Lal  
(Appellant)

Rattan Lal  
(Appellant)

Through

*Haroon Khuram*  
Counsel *Advocate*

*23/8/10*

*23/8/10*