



2026:PHHC:075320

CWP-3424-2026 (O&M)

1

2026:PHHC:075320



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

120

CWP-3424-2026 (O&M)
Date of Decision: 12.05.2026

Smt. Anaro Devi @ Anaro through her Special Power of Attorney

..... Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Suresh Kumar, Advocate, for the petitioner.

HARSH BUNGER J. (ORAL)

CM-6696-2026

Prayer in the present application is for placing on record the site plan/Naksha as Annexure P-9.

For the reasons mentioned in the application, site plan/Naksha (Annexure P-9) is taken on record, subject to all just exceptions.

Application is accordingly disposed of.

CWP-3424-2026

Petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking issuance of a writ in the nature of *Certiorari* for setting aside the order dated 10.06.2025 (Annexure P-5) passed by the learned Assistant Collector IInd Grade, Badshahpur; order dated 10.10.2025 (Annexure P-6) passed by the learned Collector-cum-Sub Divisional Officer (Civil), Badshahpur and order dated



CWP-3424-2026 (O&M)

31.12.2025 (Annexure P-8) passed by the learned Commissioner, Gurugram Division, Gurugram.

2. Briefly, petitioner (Smt. Anaro Devi @ Anaro) sought partition of joint land measuring 8 Kanal 13 Marlas, comprised in Khewat No. 1503/1244 (as per the *Jamabandi* for the year 2010-11), situated at village Badshahpur, Tehsil Badshahpur, District Gurugram.

2.1. In the aforesaid partition proceedings, mode of partition (Annexure P-2) came to be approved vide order dated 15.04.2025. On the basis of approved mode of partition, *Naksha Bey* was called from the field staff. Upon receipt of *Naksha Bey*, objections of the co-sharers were called.

2.2. Learned counsel for the petitioner submits that she alongwith other co-sharers submitted objections to *Naksha Bey* pointing out that the provisioning of 2 Karam wide passage in the land under partition was not adequate and prayed that 5 Karam wide passage be provided.

2.3 It transpires that the aforesaid objections were rejected and *Naksha Bey* was approved vide order dated 10.06.2025 (Annexure P-5).

2.4. Feeling aggrieved against the aforesaid order dated 10.06.2025 (Annexure P-5), the petitioner preferred an appeal before the learned Collector, Badshahpur, which was dismissed vide order dated 10.10.2025 (Annexure P-6) by holding as under:-

“After hearing both parties, this court has reached the conclusion that the path provided in the partition on the file is 2 Karams while the Appellant raised an objection to the “Naksha Bey” (Map B), stating that a path of at least 5 Karam (a unit of measurement) should be provided, as the land falls under the R-Zone (Residential Zone). They argued that a 2-Karam path is not usable in any way and a minimum of 5 Karam is required for the movement of vehicles.



In contrast, the Advocate for the Respondents, in reply to the Appellant's arguments, stated that the subordinate court had provided a 2-Karam path in Map B, to which they have no objection. Only the Appellant has an objection. If the Appellant provides their own "Saalam" (exclusive/fertile) land for the remaining 3 Karam of the path, the Respondents would have no objection to it. The Appellant's advocate clearly refused this offer. From this, it is clear that since the time of consolidation (Chakbandi) in village Badshahpur, a path of only 1 Karam has existed. Despite this, demanding a 5-Karam path makes it evident that the Appellant is filing the appeal solely to harass the Respondents and prolong the litigation. The Appellant and Sudesh alias Meenu (who owns only a 1 Marla share) have filed this appeal; besides them, no other party has any objection.

Therefore, keeping all the above facts in view, there is no error of any kind in the order passed by the subordinate court dated June 10, 2025. Finding no merit in the appeal filed by the Appellant, I hereby dismiss the Appellant's application for appeal. The file, after proper arrangement and completion, shall be consigned to the record room.

The order was pronounced today, October 10, 2025, in open court."

2.5. Still dissatisfied, the petitioner preferred a revision petition before the learned Commissioner, Gurugram Division, Gurugram, which has also been dismissed vide order dated 31.12.2025 (Annexure P-8) by holding as under:-

"The record of the lower court was inspected, through which it was found that in the said application for partition of land, the Petitioner Anaro Devi is the owner of only 9 Marla in Khewat No. 1503/1244, Khatoni No. 1582. In the mode of partition, her Khewat is No.2, and she has been allotted an area of 9 Marlas in Rectangle (Murabba) No.152, Killa No. 22/2, which is situated on the passage, and a 2-Karam passage has been left



CWP-3424-2026 (O&M)

for this block, which is for all the shareholders of the partition application. This is a common passage (Mustarka) for which land has been deducted proportionally from the shares of all parties. In 'Map B', land has been allotted to all shareholders in the form of a single block along the passage, and the petitioner has not specified anywhere in the revision which Khasra number she possesses that was not allotted in 'Map B'. Therefore, it is evident that the order of the lower court dated 10.10.2025 is in accordance with the law (Vidhi Sammat). Consequently, the Revision Petition of the petitioner, being devoid of merit, is hereby dismissed, and the order of the Collector dated 10.10.2025 is affirmed/maintained."

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

4. Before this Court, learned counsel for the petitioner has raised only one submission that in the partition proceedings, the revenue authorities have wrongly provided 2-Karam wide passage, whereas 5 Karam wide passage was required to be provided as the land under partition falls within the residential zone area.

5. I have heard learned counsel for the petitioner and perused the paper-book with his able assistance.

6. It is not disputed that total land under partition is only 8 Kanal 13 Marlas out of which, the entitlement of the petitioner is only 9 Marlas and in *Naksha Bey* the said 9 Marla area already stands allocated to the petitioner in Rectangle No.152, Killa No. 22/2.

6.1. As far as the plea of the petitioner that instead of 2 Karam wide passage, 5 Karam wide passage should be provided, a similar prayer was raised by the petitioner before the learned Collector, Badshahpur as well, who has rejected the same by observing that since the time of consolidation,



2026:PHHC:075320

5

2026:PHHC:075320



CWP-3424-2026 (O&M)

a path of only 1 Karam had been provided. It has also come on record by way of objections by the other co-sharers that none of the other co-sharers have any objections in the provisioning of 2 Karam wide passage and it is only the petitioner alone, who is seeking 5 Karam wide passage. In the attending circumstances, the learned Collector has returned a finding that the demand of 5 Karam wide passage reflects that the petitioner has raised this objection solely to harass the other co-sharers and in order to prolong the litigation. The Collector's order has further affirmed by the learned Commissioner, Gurugram Division, Gurugram.

7. Before this Court, learned counsel for the petitioner has failed to justify his demand for 5 Karam wide passage instead of 2 Karam wide passage. Evidently, the aforesaid claim of the petitioner lacks merit and I agree with the reasoning rendered by the learned Collector that the petitioner has raised objection to *Naksha Bey* only with some oblique motive and to prolong the litigation.

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

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

12.05.2026
dinesh

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No