

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

**Civil Writ Petition No. 13512 of 2006  
Date of Decision: 24.12.2014**

Dr.Sultan Singh and others

.....Petitioners

Vs.

Haryana State Remote Sensing Application Centre (HARSAC) and  
another

.....Respondents

**CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present : Mr. Rajesh Hooda, Advocate  
for the petitioners.

Mr. Madan Pal, Advocate  
for the respondents.

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**RAMESHWAR SINGH MALIK J. (ORAL)**

Feeling aggrieved against the order dated 17.8.2006 (Annexure P-6), petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari.

Notice of motion was issued and pursuant thereto, written statement was filed on behalf of the respondents.

During the course of hearing, learned counsel for the parties are ad idem that respondent No.2 passed the impugned order without issuing any show cause notice to the petitioners, thereby violating the basic principles of natural justice.

Learned counsel for the petitioners also submits that respondent No.2 was not competent to pass the impugned order, because he was not having any jurisdiction to do so.

In view of these undisputed facts, learned counsel for the parties submit that let the impugned order be set aside remanding the matter back to the respondent-authorities for passing an appropriate order, in accordance with law, but only after granting due opportunity of being heard to the petitioners.

In view of the above common stand taken by learned counsel for both the parties, impugned order dated 17.8.2006 (Annexure P-6) is set aside, being patently illegal. The matter is remanded back to the respondent authorities with a direction to pass a fresh order, strictly in accordance with law and after granting due opportunity of being heard to the petitioners.

Let an appropriate order be passed by the competent authority, who has the jurisdiction to pass it. However, it is made clear that till the fresh order is passed by the respondent authorities, operation of the impugned order shall remain stayed.

With the abovesaid observations made and directions issued, present writ petition stands allowed, however, with no order as to costs.

**(RAMESHWAR SINGH MALIK)**  
**JUDGE**

24.12.2014  
*Ak Sharma*