

CWP NO. 17782 OF 2015

Date of decision: 16.10.2015

Patel Singh

.....Petitioner

versus**State of Haryana and others**

.....Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain**Present:** Mr. Mani Ram Verma, Advocate
for the petitioner.Mr. Rajesh Kumar Sheoran, Addl.AG, Haryana
for respondents No. 1 to 3.Mr. DPS Bajwa, Advocate
for respondent No. 4.**Rakesh Kumar Jain, J.(Oral)**

The petitioner has prayed for a writ in the nature of certiorari for quashing the order dated 03.03.2015(Annexure P-1) passed by the Collector, Hisar and order dated 04.08.2015(Annexure P-5) passed by the Tehsildar, Hansi.

It is submitted that on the recommendation of AC IInd Grade and AC Ist Grade, the file for appointment to the post of Lambardar was presented before the Collector, who did not agree with their recommendations and rejected the candidature of both the candidates and remanded the case back. The order of the Collector has been challenged by way of an appeal before the Commissioner, Hisar Division but the post of the Commissioner, Hisar Division, was allegedly lying vacant and as a result thereof, Tehsildar, Hansi to whom the mater was remanded has been proceeding with the matter.

Reply is filed on behalf of respondents No. 1 to 3 in which it is averred that the post of Commissioner, Hisar Division has now been filled as Mr. Rajbir Singh, IAS has been appointed who is regularly taking up the cases pending in his Court.

In view thereof, present petition has become infructuous as the petitioner has a right to approach the Commissioner, Hisar Division for the purpose of stay, if any and if the application is already filed and the stay application is pending for 08.12.2015, the petitioner may file an application for preponement of hearing of the stay application which shall be considered by the said authority immediately and shall pass an order accordingly.

With these observations, the present petition is disposed of as infructuous.

16th October, 2015

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**