

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.6840 of 1994 (O&M)

Date of decision:21.9.2016

Tara Chand

...Petitioner

Versus

The Financial Commissioner (Appeals), Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms.Amandeep Sibia, Advocate for the applicant-petitioner.

Mr.Yatinder Sharma, Addl.A.G., Punjab.

RAMESHWAR SINGH MALIK, J. (Oral)

When this case came up for hearing on 11.3.2015, following order was passed by this Court:-

“CM 397/2015 is allowed and affidavit dated 6.1.2015 of Gurmail Singh, Tehsildar Sangrur, annexed with the application is taken on record.

Learned State counsel has filed affidavit dated 10.3.2015 of Sh. Arshdeep Singh Thind, Deputy Commissioner, Sangrur in compliance of the order dated 11.2.2015.

At the time of hearing to resolve the issue once and for all keeping in view the equities, Deputy Commissioner, Sangrur is directed to work out the maximum possible price which the plots in question would have fetched in the disputed auction in the area in the year 1987. Mr.Gagandeep Singh, District Revenue Officer, Sangrur, who is present in Court has understood the import of the order.

List on 22.4.2015.

A photocopy of this order be placed on the files of connected writ petitions, mentioned above.”

On the last date of hearing, i.e.5.9.2016, learned counsel for the State sought and was granted time to ensure compliance of the above-said order dated 11.3.2015 passed by this Court.

In compliance of the above-said orders, affidavit dated 20.4.2015 of Sh.Arshdeep Singh Thind, IAS, Deputy Commissioner, Sangrur along with two official communications Annexures R-I and R-II, filed in the Court today is taken on record and copy thereof has been supplied to the learned counsel for the petitioner.

Learned counsel for the petitioner submits that petitioner-Tara Chand is ready and willing to pay the amount for the plot under his possession, at the rate of Rs.138/- per square yard, which is maximum price, pointed out in Annexure R-1 with the affidavit filed today.

Faced with the above, learned counsel for the State also fairly states that once the Deputy Commissioner has, as per report Annexure R-1, has pointed out the highest price at the rate of Rs.138/- per square yard, the prayer made by the petitioner seems to be genuine.

In view of the above-said respective stands taken by the learned counsel for the parties, instant writ petition deserves to be accepted. Consequently, the impugned orders are hereby set aside. Petitioner is declared entitled for purchasing the plot bearing No.160-A, Khasra No.924/Min, measuring 212 square yards and 3 square feet, at the rate of Rs.138/- per square yard. Let the petitioner deposit the amount with the competent authority within a period of three months from the date of receipt of a certified copy of this order.

With the above-said observations made and directions issued, the instant writ petition stands allowed, however, with no order as to costs.

21.9.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No