

Sr. No.225

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12359-2016(O&M)

Date of Decision: 09.11.2016

Sukhraj

.....Petitioner

VS.

Financial Commissioner Punjab (Appeal) and others

....Respondents

CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present:- Mr.Vijay Saini, Advocate
for Mr. Dheeraj Mahajan, Advocate for the petitioner.
Ms. Monika Chhibber Sharma, DAG, Punjab.
Mr.H.S.Bedi, Advocate for respondents no.4 to 8.

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RAMESHWAR SINGH MALIK, J

CM-8304-2016

Applicant seeks permission to place on record reply by way of affidavit of Ms. Robinjeet Kaur, Asstt. Collector Ist Grade, Kalanour, Gurdaspur on behalf of respondents no.1 to 3.

Application is allowed,as prayed for.

CM stands disposed off.

Main case

Learned counsel for the contesting respondents no.4 to 8, at the very outset, fairly submits that now the Financial Commissioner, before

holding the Court. He further submits that let the petitioner be relegated to his remedy of revision which is already pending decision before the appropriate authority at the instance of the petitioner.

Faced with the above, learned counsel for the petitioner also fairly states that let the writ petition be disposed off in terms of the statement made by learned counsel for the contesting respondents but the stay granted by this Court vide order dated 07.06.2016 may be ordered to continued till the stay application of the petitioner is considered and decided by the learned Financial Commissioner.

In view of the above said respective statements made by learned counsel for the parties, present writ petition is disposed of with a direction to the Financial Commissioner to consider and decide the revision petition filed by the petitioner in accordance with law. The Financial Commissioner shall be at liberty to take up the stay application first and pass an appropriate interim order thereon within a reasonable time.

However, keeping in view the peculiar facts and circumstances of the case and also to ensure that stay application as well as the revision petition filed by the petitioner may not be rendered infructuous, stay granted by this Court vide order dated 07.06.2016 shall continue to operate in favour of the petitioner till the stay matter is heard and decided by the Financial

With the above said observations made and directions issued,

present writ petition is disposed off.

November 09, 2016

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(RAMESHWAR SINGH MALIK)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No