

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.18539 of 2016 (O&M)

Date of decision: 09.09.2016

Labh Singh and others

... Petitioners

Vs.

Punjab Wakf Board and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Gaurav Singla, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK, J. (ORAL)

CM No.11299-CWP of 2016

Applicants seek permission to place on record copies of the rent receipts in the form of Annexures P-4 to P-6 and also seek exemption from filing certified copies thereof.

Application is allowed, as prayed for.

CM stands disposed of.

CWP No.18539 of 2016

Feeling aggrieved against the impugned undated advertisement (Annexure P-2), whereby land under the possession of the petitioners was sought to be auctioned for leasing out, they have approached this Court by way of present writ petition, seeking a writ in the nature of certiorari, for quashing the impugned advertisement (Annexure P-2).

Learned counsel for the petitioners submits that although the auction was fixed for 07.09.2016 but since nobody came forward, no auction could take place. He further submits that he does not intend to press this petition for a writ in the nature of certiorari at this stage, seeking quashing of impugned

advertisement (Annexure P-2). He submits that self-contained representation dated 31.08.2016 (Annexure P-3) moved by the petitioners was not considered and the same is still pending before respondent No.2. Learned counsel for the petitioners submits that petitioners will be satisfied in case respondent No.2 is directed to consider the representation of the petitioners and pass a speaking order thereon, before giving effect to the impugned auction notice. In this regard, learned counsel for the petitioners refers to the provisions contained in Section 54 of the Wakf Act, 1995.

Having heard the learned counsel for the petitioners and without expressing any opinion on merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of, with a direction to the Estate Officer, Punjab Wakf Board, Sangrur-respondent No.2 to consider the grievance raised by the petitioners in their representation dated 31.08.2016 (Annexure P-3) and pass an appropriate order thereon, at an early date, strictly in accordance with law but in any case within a period of one month from the date of receipt of certified copy of this order.

However, it is directed that till the representation of the petitioners is considered and decided in accordance with law, the auction notice (Annexure P-2) shall remain in abeyance.

With the abovesaid observations made and directions issued, instant writ petition stands disposed of.

[RAMESHWAR SINGH MALIK]
JUDGE

09.09.2016
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No