

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

**CWP No.18668 of 2016
Date of decision: 09.09.2016**

Aakib

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Bikram Chaudhary, Advocate
for the caveators-respondents No.7 & 8.

RAMESHWAR SINGH MALIK, J. (ORAL)

Present writ petition is directed against the order dated 22.07.2016 (Annexure P-1) passed by the Additional Chief Secretary to Government Haryana, Development and Panchayats Department, whereby lease of pond auctioned in favour of the petitioner, was not found to have been conducted, strictly in accordance with law.

After arguing the case for some time, learned counsel for the petitioner, on instructions from the petitioner, who is present in the Court, fairly states that since the mandatory procedure for minimum 15 days notice time for putting the pond to auction was not strictly followed in the present case, let the pond in question may be permitted to put to auction from the next year i.e. April, 2017, after following due procedure. However, he submits that the respondent authorities may be directed to refund the proportionate amount to

the petitioner and he may also be permitted to participate in the auction proceedings for the next financial year.

The abovesaid fair proposal put forth by learned counsel for the petitioner has been accepted by learned counsel for the caveators-respondents No.7 and 8.

In view of the abovesaid respective fair stands taken on behalf of the contesting parties, it is ordered that the petitioner shall be permitted to continue with the present lease till 31.03.2017. Director, Development and Panchayats Department-respondent No.2, through his subordinate officers, shall ensure that appropriate auction notice is issued well in advance, strictly in accordance with the relevant provisions of law, giving wide publicity in the area for conducting the open auction of the pond in question w.e.f. 01.04.2017. It is also directed that the proportionate lease money beyond 31.03.2017 shall be refunded to the petitioner and he shall also be permitted to participate in the auction proceedings.

With the abovesaid observations made and directions issued, present 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