

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

**Civil Writ Petition No. 24117 of 2016
Date of Decision: 22.11.2016**

Makhan Singh

.....Petitioner

Vs.

Commissioner, Appeals, Jalandhar Division, Jalandhar and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus.

Learned counsel for the petitioner submits that the only difference between the present writ petition and the earlier writ petition filed by the petitioner bearing CWP No. 21730 of 2016, disposed of vide order dated 20.10.2016 (Annexure P-6), was that in the earlier case, proceedings were pertaining to mutation and in the present case, proceedings were under Section 145 Cr.P.C.. Parties in both the cases are same.

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Having heard learned counsel for the petitioner and without expressing any opinion on the 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 Commissioner, Appeals, Jalandhar Division, Jalandhar-respondent No.1 to consider the grievance raised by the petitioner, which prima facie seems to be genuine and decide the Transfer Application bearing MA-9 of 2016 (Malook Singh Vs. Sub Divisional Magistrate-cum-AC 1st Grade, Batala) at an early date, either on the date already fixed, i.e. 28.11.2016 or within a period of two weeks thereafter, by passing an appropriate order thereon, in accordance with law.

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

(RAMESHWAR SINGH MALIK)
JUDGE

22.11.2016
Ak Sharma

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