

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

**Civil Writ Petition No. 24564 of 2016
Date of Decision: 30.11.2016**

Ram Narain

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Surender Pal, 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 Certiorari/Mandamus.

Learned counsel for the petitioner, at the very outset, fairly states that he does not intend to press this petition qua the writ of Certiorari, for the time being. He places reliance on the order dated 29.5.2014 (Annexure P-8), to contend that in compliance of the said order, petitioner immediately shown his bonafide, by depositing an amount of ₹2,20,000/- on 8.7.2014 vide Annexure P-3. He further submits that petitioner is still ready and willing to pay the amount of land to the tune of ₹11,25,000/-, as rightly assessed by the office of respondent No.3, vide order dated 29.5.2014 (Annexure P-8) within a reasonable time. He further submits that petitioner will be satisfied in case respondent No.3 is directed to look into the matter and permit the petitioner to deposit the remaining amount of ₹11,25,000/- by transferring the land in favour of the petitioner, while ignoring communication dated 18.5.2016 (Annexure P-11).

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 the Tehsildar (Sales), Jind, Haryana-respondent No.3 to consider the abovesaid grievance of the petitioner, which prima facie seems to be genuine and take a final decision in this regard, keeping in view the office order dated 29.5.2014 (Annexure P-8), whereby the value of the land was assessed at ₹11,25,000/-. While reconsidering the matter and taking a final decision, respondent No.3 shall ignore the communication dated 18.5.2016 (Annexure P-11), as the same was issued without referring to abovesaid office order dated 29.5.2014 (Annexure P-8). Let respondent No.3 pass an appropriate order at an early date, however, strictly in accordance with law, but in any case within a period of three months from the date of receipt of certified copy of this order.

In the facts and circumstances of the case noted hereinabove and also to ensure that claim of the petitioner may not render infructuous, it is also directed that till appropriate decision is taken by respondent No.3, communication dated 18.5.2016 (Annexure P-11), shall remain in abeyance.

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

30.11.2016
Ak Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

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