

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

Civil Writ Petition No. 26732 of 2016
Date of Decision: 22.12.2016

Selina Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. S.S.Momi, 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, submits that he does not intend to press this writ petition qua the writ of Certiorari, at this stage. He submits that appeal (Annexure P-5) filed by respondents No.3 and 4 is pending before the Financial Commissioner (Revenue), Punjab-respondent No.2, wherein stay is operating against the petitioner. Petitioner, being NRI, moved an application for vacation of stay. However, neither the application for vacation of stay moved by the petitioner, nor the appeal is being decided in view of the notification dated 1.12.2008 (Annexure P-8) issued by the State of Punjab. He further submits that petitioner shall be satisfied in case respondent No.2 is directed to consider and decide either the stay matter and the appeal, within a reasonable time.

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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, the Financial Commissioner, (Revenue), Punjab-respondent No.2 is directed to look into the matter, consider the grievance raised by the petitioner and decide the appeal bearing ROA No. 49 of 2016, at an early date, keeping in view the notification dated 1.12.2008 (Annexure P-8) issued by the State of Punjab, by passing an appropriate order, strictly in accordance with law, but in any case within a period of six months from the date of receipt of certified copy of this order.

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

(RAMESHWAR SINGH MALIK)
JUDGE

22.12.2016
Ak Sharma

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