

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

CWP No.3645 of 2016 (O&M)

Date of Decision: 24.02.2016

Telu

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. KB Raheja, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner has chosen to challenge the order dated 26.10.2010 after a period of five years on the plea that he was not impleaded as a party respondent though he has been affected by the impugned order as the land which falls to his share has also been ordered to be utilized to carve out the passage. It appears from the memo of parties that at least one of the petitioner's brother was party respondent. In view of the plea taken that neither the petitioner nor his brother was heard and he came to know about the one-sided order about three months back, we dispose of the writ petition with liberty to the petitioner to move an appropriate application before the Commissioner, Ambala Division, Ambala for the recall of the order dated 26.10.2010 and explain the delay.

(2) The authority concerned is directed to decide the application in accordance with law.

(3) Disposed of.

(Surya Kant)
Judge

24.02.2016
vishal shonkar

(P.B. Bajanthri)
Judge