

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

**CWP No.696 of 2016 (O&M)
Date of Decision: 14.01.2016**

Nain Singh

... Petitioner

VS.

Commissioner, Ambala Division & Ors.

... Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR.JUSTICE P.B. BAJANTHRI**

Present: Mr. Ashok Giri, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner has filed a statutory appeal titled as “Nain Singh & Ors. vs. Janak Singh & Ors. bearing Old Appeal No.04/2013/Consolidation dated 19.02.2013. It is stated that final arguments in the above-stated appeal were heard and written arguments have also been submitted by the parties on 20.03.2015 yet the order is still awaited though more than 10 months have passed.

(2) On a query, it is fairly stated by learned counsel for the petitioner that the then Deputy Commissioner before whom the appeal was argued has since been transferred and a new officer has taken over. If that is so, it is obvious that the new incumbent cannot pronounce the order in the appeal unless he himself hears it.

(3) We therefore dispose of this writ petition with a direction to the second respondent to list the appeal for

arguments; hear it and taking into consideration the oral submissions that may be made by the parties coupled with the written arguments already on record, decide the appeal in accordance with law and preferably before 28.02.2016.

(4) Disposed of.

(Surya Kant)
Judge

14.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge