

In the High Court of Punjab and Haryana at Chandigarh.

**CWP No. 9190 of 2015
Decided on 29.2.2016**

M/s. Ardee City Infrastructure Private Ltd, New Delhi

--Petitioner

Vs.

The State of Haryana and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. Bishan Kumar, Advocate, for
Mr.Pankaj Jain, Advocate, for the petitioner

Mr. RKS Brar, Addl.A.G, Haryana, for the respondents

Rakesh Kumar Jain,J: (Oral)

In short, the petitioner purchased some land vide sale deed dated 08.8.2012. He received notice on account of deficiency of stamp duty and registration charges. The Collector passed the order against the petitioner on 16.6.2014 which was challenged in appeal before the Divisional Commissioner, Gurgaon. According to the petitioner, the Divisional Commissioner, passed the order on 05.2.2015 and remanded the case back to the Collector. On 05.2.2015, the petitioner appeared before the Collector but he was informed that the order has not been received from the office of the Divisional Commissioner. Thereafter, the petitioner applied for certified copy of the order of the Divisional Commissioner,

Gurgaon dated 04.12.2014, but the said copy was not supplied. Therefore, the present petition has been filed.

After notice, Mr. RKS Brar, learned Addl.A.G, Haryana, has appeared on behalf of the respondents and submitted that even as per his instructions, the respondent No2/ Divisional Commissioner, Gurgaon, did not pass any order in writing on 04.12.2014. He has, thus, suggested that this petition may be disposed of with a direction to the Divisional Commissioner, Gurgaon/respondent No.2 who is seized of the appeal, filed by the petitioner, to decide the same in accordance with law.

After hearing learned counsel for the parties and examining the available record, this petition is disposed of with a direction to respondent No2 to decide the appeal of the petitioner by writing an order after hearing the parties in accordance with law.

The parties are directed to appear before the Divisional Commissioner/respondent No.2 on 17.3.2016.

29.2.2016
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(Rakesh Kumar Jain)
Judge