

(224)

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

COCN No.972 of 2017

Date of decision : 23.08.2017

Santokh Singh

.....Petitioner

Versus

Ravi Bhagat and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. A. P. Kaushal, Advocate for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

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DAYA CHAUDHARY, J. (Oral)

Vide order dated 07.10.2016, a direction was issued to Deputy Commissioner-cum-Collector, Ludhiana-respondent No.3 to look into the matter and to consider the grievance of the petitioner raised in the representation dated 04.12.2015 and to decide the same at an early date, preferably within a period of three months from the date of receipt of certified copy of the order.

In pursuance of the aforesaid direction, Deputy Commissioner, Ludhiana has considered the grievance of the petitioner, which is clear from order Annexure R-3 annexed with the reply. It has been mentioned in order dated 21.04.2017 that an application was given by the petitioner in the

office of Deputy Commissioner for correction of his ownership. Vide his office letter dated 12.04.2012, the permission of *Fard Badar* was given to the concerned Tehsildar and thereafter, an appeal was filed by the opposite party before the Commissioner, Patiala Division, Patiala, which was dismissed by the Commissioner vide order dated 15.05.2013 and orders were passed for *Fard Badar*. Petitioner requested that order dated 15.05.2013 passed by the Commissioner, Patiala Division, Patiala had not been complied with. It has also been mentioned in the order that for that purpose Tehsildar, Ludhiana (West) along with Halqa Patwari were summoned along with the record. As per the revenue record, *Fard Badar* was issued to the petitioner regarding the remaining land and order dated 30.03.2016 was passed by Assistant Collector, IInd Grade, Ludhiana. It has also been mentioned that as per the revenue record, *Fard Badar* has already been entered in the revenue record as per order dated 15.05.2013 passed by the Commissioner, Patiala Division, Patiala. Petitioner was having grievance regarding the aforesaid order whereas the same has been decided vide order dated 30.03.2016 by Assistant Collector, IInd Grade, Ludhiana. It has also been mentioned that in case the petitioner has any further grievance, he has a remedy to file appeal before the competent authority.

Since, the direction was to look into the grievance of the petitioner as made in the representation, which has been complied with, the present petition stands disposed of accordingly.

In case the petitioner is still aggrieved in any manner, he is at liberty to avail the appropriate remedy.

Undisputedly, the delay has occurred as the necessary action of

taking decision on the representation was to be taken within a period of three months from the date of receipt of certified copy of the order, but that direction was not complied with within the stipulated period. Thus, for causing the delay and not complying the order within the stipulated time, a cost of ₹20,000/- is imposed upon the respondents. The amount of cost shall be paid to the petitioner by way of draft within a period of one month.

23.08.2017*sunil yadav***(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No