

115

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

**CRM-M-48899-2017
Date of Decision: 21.12.2017**

Narender Kumar Garg

..... Petitioner

Versus

Sub Divisional Magistrate, Rewari and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. APS Deol, Senior Advocate with
Mr. Shatipal Singh Mann, Advocate,
for the petitioner.

SUDIP AHLUWALIA J. (ORAL)

Notice of motion.

[2]. On the asking of the Court, Mr. Karan Sharma, Assistant Advocate General, Haryana, accepts notice on behalf of respondent Nos.1 and 2. Let copies of the paper-book be supplied to him during the course of the day.

[3]. In this matter, the petitioner had originally filed an application under Section 145/146 of the Cr.P.C. against the private respondents. The interim order was granted in his favour by the Sub Divisional Magistrate, Rewari, which was challenged on behalf of the private respondents.

[4]. Ld. Court of Sessions in its revisional jurisdiction vide the order dated 01.12.2014 substantially accepted the claim of the revisionists and remanded back the matter to the Sub Divisional Magistrate, Rewari (respondent No.1) with a direction to decide the same afresh after accepting the written statement of the private respondents and hearing both sides.

[5]. It is the petitioner's grievance that in spite of such direction passed more than three years ago, the matter is still pending before respondent No.1 and taking advantage of such delay the private respondents have forcibly taken possession of the disputed properties.

[6]. Without adverting to the merits of the case at this stage, the present petition is disposed off with a direction upon respondent No.1 to finally decide the pending matter before him within 45 days from the date of communication of this order after hearing both sides in accordance with law.

21.12.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No