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

**CWP-19111-2010 (O&M)
Date of decision : 28.02.2017**

Vijay Pal Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Kanwaljit Singh, Senior Advocate with
Mr. Arman Midha, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. Lalit Pathak, Advocate for
Mr. P.S.Bhangu, Advocate
for respondent No.4.

Mr. R.S.Chauhan, Advocate
for respondent No.5.

AMIT RAWAL, J. (ORAL)

The challenge in the present writ petition is to the order dated 25.03.2010 (Annexure P-13), whereby the review of the order 10.07.2009 (Annexure P-12) has been dismissed on the premise that the Financial Commissioner (Revenue), Punjab, while accepting the MR bearing No.23 of 2005 of Lachman Singh and MR No.24 of 2005 of Banarsi Dass remanded back the matter to the Chief Sales Commissioner/Deputy Commissioner and set aside the allotment of Mohinder Kaur, who according to Mr. Kanwaljit Singh, learned Senior Counsel representing the petitioner, had vide sale deed dated 07.11.2005 (Annexure P-1) sold the property, in dispute, to the

petitioner, has not been given any opportunity of hearing.

Mr. Lalit Pathak, and Mr. R.S.Chauhan, learned counsel appearing on behalf of respondent Nos.4 & 5, respectively submits that though the order, under challenge, only has given an opportunity to Lachhman Singh and Banarsi Dass, to appear before the Chief Sales Commissioner, Mohali, but they are not averse that in case, an opportunity of hearing is also given to Vijay Pal, who alleged to have purchased the property by virtue of the sale deed, aforementioned.

In view of the aforementioned fact, the order dated 25.03.2010 (Annexure P-13) and 10.07.2009 (Annexure P-12) are hereby modified to the extent that the remand order will not only give the right to Lachhman Singh and Banarsi Dass to establish their claims, but also to Vijay Pal, who is stated to have stepped into shoes of Mohinder Kaur by virtue of the sale deed, aforementioned.

This Court while issuing the notice of motion had stayed the operation of the impugned order.

In view of the consensus, noticed above, the present writ petition is disposed in the observations made hereinbefore. The interim order is also vacated.

The parties shall be at liberty to take all possible pleas for establishing their claim before the Chief Sales Commissioner in accordance with law.

Learned counsel for the parties and as well as the parties are directed to appear before the Chief Sales Commissioner on 20.03.2017 and it is expected that the Chief Sales Commissioner, Mohali, shall decide the matter as expeditiously as possible preferably within a period of 6 months

from the receipt of the certified copy of this order.

Disposed of, accordingly.

28.02.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No