

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.18441 of 2017.

Date of Decision: August 21, 2017

Gurwinder Singh

.....Petitioner

versus

Joint Development Commissioner, Mohali and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Vikas Mehsempuri, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The Collector-cum-Additional Deputy Commissioner, Bathinda decided the dispute between the petitioner and Gram Panchayat vide order dated 17.04.2012 in favour of the Gram Panchayat. The aggrieved petitioner filed a statutory appeal which was allowed in part vide order dated 13.08.2015 and the matter was remanded to the Collector-cum-Additional Deputy Commissioner (Development) Mansa to decide the dispute afresh. Later on, a resident of the village pointed-out to the Appellate Authority that since the case was decided by the Collector-cum-Additional Deputy Commissioner (Development) Bathinda, he ought to have sent the case to the said Authority at Bathinda instead at Mansa. The Appellate Authority has made necessary correction in the order dated 13.08.2015, directing that the remanded case shall be decided by the Collector-cum-Additional Deputy Commissioner (Development), Bathinda. We see no error of jurisdiction in correction of such like mistake as the Appellate Authority was required to remand the case to the same Authority from which the appeal had originated.

Dismissed.

[SURYA KANT]
JUDGE

August 21, 2017

mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No