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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-22017-2017

Date of decision : 26.09.2017

Swaran Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Gautam Diwan, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the recommendation/order dated 21.06.2011 (Annexure P-3) passed by respondent No.6 and Eviction Notice dated 21.06.2017 (Annexure P-4).

2. A perusal of Eviction Notice dated 21.06.2017 (Annexure P-4) shows that it is a public notice, which is issued to all the unauthorized occupants to vacate the house within 48 hours. However, on a query being put to the learned counsel for the petitioner as to whether any reply was submitted to the said public notice, it was stated that no such reply has been filed.

3. Learned counsel for the petitioner pointed out that the

petitioner shall make a detailed and comprehensive reply to the public notice (Annexure P-4) within one week from today. However, a prayer was made that a direction be issued to respondent No.5 to decide the same expeditiously within a time bound manner.

4. After hearing learned counsel for the parties, perusing the averments made in the writ petition and without expressing any opinion on the merits of the controversy, we dispose of the writ petition by permitting the petitioner to file a detailed and comprehensive reply to the public notice dated 21.06.2017 (Annexure P-4) before respondent No.5 within a period of one week from today. It is, however, clarified that in case such reply is filed by the petitioner, the same shall be decided by respondent No.5 within a period of two weeks thereafter, after affording an opportunity of hearing to the petitioner and by passing a speaking order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

26.09.2017
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**