

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

**CWP No. 25945 of 2016
Decided on : 27.01.2017**

Ramesh Kumar

. . . Petitioners

Versus

Sub Divisional Officer (Civil)-cum-Collector, Ambala & another

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

PRESENT: Mr. Bhavyadeep Walia, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

On December 15, 2016, the following order was passed:-

“It was not disputed by learned counsel for the petitioner that certain amount is payable by the petitioner and even if, his writ petition is accepted, an amount of ₹ 6 lacs shall be payable by the petitioner.

In such a situation, in order to exercise extra ordinary writ jurisdiction under Article 226 of the constitution of India, it would be appropriate to see the bona fides of the petitioner.

Let a demand draft of ₹ 3 lacs in favour of respondent No.2-Bank be produced on the next date of hearing.

Adjourned to 27.01.2017.

It is, however, made clear that in case, the petitioner fails to bring the demand draft of the aforesaid amount on the next date of hearing, the instant petition shall be treated to have been dismissed.”

2. At the outset, learned counsel for the petitioner was asked to show whether the demand draft of ₹ 3 lacs, in terms of order dated December 15, 2016, has been brought in Court or not, the reply of the counsel for the petitioner was in the negative.

3. In view of the above, no ground for exercise of writ jurisdiction under Article 226 of the Constitution of India, is made out.

4. Dismissed.

(AJAY KUMAR MITTAL)
JUDGE

(AUGUSTINE GEORGE MASIH)
JUDGE

January 27, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No