

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

C.W.P No. 24923 of 2017

Date of Decision:- 02.11.2017

Palwinder Singh & Anr.

....Petitioners

Versus

Financial Commissioner & Ors.

...Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

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

RAKESH KUMAR JAIN, J. (Oral)

The only prayer made in this petition is for consideration of the application for stay filed by the petitioners along with the pending revision petition.

The said revision petition was pending before Viswajeet Khanna, Financial Commissioner. The petitioners have also filed the application for stay along with it, but it could not be heard as the said officer had proceeded on training. The petitioners then filed the application for Stay before the Financial Commissioner (Revenue) but he rejected it on 06.10.2017 on the ground that the application is to be decided by the same officer who is seized of the revision petition. It was also observed that the petitioners could not show any urgency before him to entertain the application and decide the same immediately. The application was, thus, transferred by him to the same Court of Financial Commissioner.

Learned counsel for the petitioners submits that since the said officer has resumed work, therefore, a direction may be issued to him to consider his application for stay and decide the same as early as possible otherwise they would be dispossessed as Sanad takseem has been issued and proceedings regarding warrant of possession has been started.

Thus keeping in view the aforesaid facts and circumstances, I am of the considered view that in this case no notice is required to be issued to the respondents since the prayer made by the petitioners is innocuous, therefore, the present petition is hereby disposed of with a direction to Viswajeet Khanna, Financial Commissioner, who is allegedly seized of the revision petition, filed by the petitioners and to whom the application for stay has been transferred by the Financial Commissioner (Revenue) on 06.10.2017, to decide the same as early as possible, preferably within a period of 15 days from the receipt of certified copy of this order.

Disposed of.

November 02, 2017
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(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No