

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.25785 of 2017

Date of Decision: November 13, 2017

Avtar Singh

. . . . Petitioner

Vs.

Financial Commissioner Revenue (Appeals), Punjab and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Jatinderpal Singh, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed with a prayer to direct the Financial Commissioner/respondent No.1 to pass the order on the application filed by the petitioner for vacation of say in which arguments were heard by him on 12.7.2017. It is submitted that the next date for this purpose has been given by respondent No.1 is 15.11.2017.

Learned counsel for the petitioner has referred to order dated 12.7.2017 passed by the Financial Commissioner in ROR No.519 of 2017 which reads as under: -

“Present: Sh. N.S. Chahal, Advocate, for the petitioners.

Jatinderpal Singh, Advocate, counsel for the respondents.

*Arguments Heard. Case be adjourned for
19.7.2017 for orders.*

*Sd/- Financial Commissioner
12.7.2017.”*

It is submitted that thereafter the case has been adjourned 4/5 times but respondent No.1 was busy in the administrative work, therefore,

the order on the application has not been passed though the private respondents have obtained *ex parte* stay on the pretext that the Financial Commissioner (Revenue), who has to hear the matter is not holding Court.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that in this case notice to the respondents (contesting) is not required because the prayer made by the petitioner is totally innocuous as he only prays that respondent No.1 may be directed to announce the order on the application which was heard on 12.7.2017.

In view of the aforesaid, the present petition is hereby disposed of with a direction to respondent No.1 to announce the order on the application for vacation of stay in which arguments have already been heard by him on 12.7.2017, preferably on the coming date of hearing i.e. 15.11.2017.

NOVEMBER 13, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No