

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

**C.W.P No. 3228 of 2017 (O&M)
Date of Decision : 21.02.2017**

Gram Panchayat

... Petitioner

versus

The Joint Development Commissioner & Ors.

... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present : Ms. Naiya Gill, Advocate, for the petitioner

Ms. Munisha Gandhi, Addl. A.G. Punjab with
Mr. Bhupinder Singh Thind, AAG, Punjab.

RAJESH BINDAL, J.

The petitioner – Gram Panchayat has filed the present petition with a prayer that certified copy of the order dated 13.01.2016, vide which the appeal filed by the respondent Nos. 3 and 4 was dismissed by respondent No.1 be supplied to the petitioner.

When the case was taken up for preliminary hearing, yesterday, learned State counsel was directed to produce file of the appeal. Today, the file has been produced. In the zimni order, it has been mentioned that the appeal is being dismissed. Copy of the detailed order be supplied .

Learned counsel for the State submitted that on the file, there is no detailed order passed by the officer concerned. He was transferred from

the present place of posting and had unfortunately expired. As there is no speaking order available on file dismissing the appeal filed by respondent Nos. 3 and 4, the matter may have to be reheard.

After hearing learned counsel for the parties and considering the aforesaid factual position, we are of the opinion that though as per zimni order available on file, appeal filed by respondent Nos. 3 and 4 was dismissed, however, no speaking order is available on file, hence, the matter is required to be reheard by the present officer appointed as the appellate authority. Let the needful be done after affording opportunity of hearing to the parties without being influenced by the earlier decision. Needful be done within three months.

Ordered accordingly.

(RAJESH BINDAL)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

February 21, 2017
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Whether speaking/reasoned – Yes
Whether reportable – Yes/No