

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

**RA No. 103-CII of 2017 in  
COCP No. 1437 of 2017**

**Date of decision : 07.09.2017**

Gurcharan Singh

....Applicant-Petitioner

V/s

Pritam Singh & ors.

....Respondents

**BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. R.S. Chauhan, Advocate for the petitioner.

**RAJAN GUPTA J.**

Petitioner-applicant seeks recall of order dated 06.06.2017 passed by this court. His plea is that no appeal is pending before the Financial Commissioner at present. Thus, petitioner has no remedy for redressal of his grievance. A copy of the application was handed over to Mr. Vikas Mohan Gupta, Addl. A.G. Punjab on the last date of hearing. He today submits that matter has been remanded by the Financial Commissioner to the Collector. Petitioner alleges that respondents have harvested the crop despite status quo granted by the Financial Commissioner. According to State counsel, this would be a disputed question of fact. I find substance in this plea. There is no ground for recalling order dated 06.06.2017. Besides, same was passed after due consideration of the matter. The issue is only regarding violation of order passed by Financial Commissioner. Applicant-petitioner is at liberty to avail appropriate remedy. Dismissed.

September 07, 2017

*Ajay*

(RAJAN GUPTA)  
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No