

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

CWP No. 12250 of 2018

DATE OF DECISION : 18.05.2018

Randhir Singh

....PETITIONER

Versus

State of Haryana and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Rajdeep Singh Tacoria, Advocate,
for the petitioner.

Mr. Sandeep S. Mann, Senior DAG, Haryana.

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AVNEESH JHINGAN, J. (Oral)

The present petition has been filed seeking direction to respondent No.1 to decide the stay application accompanying the revision petition. Further prayer is that and till then, stay of dispossession of the petitioner from the land in his possession be granted.

2. Respondent No.1 is the State of Haryana. Respondent No.2 is the Assistant Collector Ist Grade-cum-Tehsildar, Samalkha, District Panipat and respondents No.3 to 8 are the private persons.

3. In the writ petition, it was alleged that the petitioner wanted to file a revision petition before the Financial Commissioner against the order

dated 27.05.2011 along with the stay application but the said revision petition and the stay application was not accepted by the office, as the Officer who had to hear the said revision petition was on ex-India leave.

4. Notice of motion was issued to respondents No.1 and 2 only at this stage.

5. Today, Shri Sandeep S. Mann, learned Senior Deputy Advocate General, Haryana, on instructions, states that the office of the Financial Commissioner had not refused to accept the revision petition. As it was being insisted that the stay application be decided at the same time, and on 07.05.2018, the day, the petitioner went to file the stay application, the Officer had gone to Delhi to attend a meeting. Thereafter, he had to proceed on ex-India leave from 15.05.2018 to 31.05.2018. Learned State counsel submits that since there is urgency in the matter, if the petitioner approaches the office of the Chief Secretary, Haryana, and moves a stay application, the office of Chief Secretary would mark the application to some other Financial Commissioner, so that the same can be heard and decided.

6. Learned counsel for the petitioner states that the petitioner will approach the office of the Chief Secretary, Haryana, on 21.05.2018.

7. In view of the above statements made by learned counsel for the parties, this petition is disposed of with the observation that in case, the petitioner approaches the office of Chief Secretary, Haryana, and moves stay application, the same will be marked on the same day to one of the Financial Commissioners for hearing and deciding the same. Thereafter, the stay application would be decided within a period of one week.

8. Copy of the order be given under the signatures of the Bench Secretary.

May 18, 2018
ndj

(AVNEESH JHINGAN)
JUDGE

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