

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 1396 of 2018 (O&M)
Date of decision : January 24, 2018

Parkash Chand

..... **Petitioner**

Versus

The State of Haryana and others

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Harish Nain, Advocate
for the petitioner.

RAKESH KUMAR JAIN, J (oral).

Learned counsel for the petitioner has submitted that the petitioner's Truck No. PB-09-AX-6881 has been taken into possession in FIR No. 92 dated 3.5.2017 registered under Section 20(13) (ii) Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015 (hereinafter referred to as 'The Act') at the Police Station Sadar Narwana. The Sub Divisional Magistrate, Narwana has ordered confiscation of the truck.

Learned counsel for the petitioner submits that the order of confiscation has been passed in violation of Section 17 (2) of the Act as no opportunity of hearing was given but at the same time it is submitted that the order passed under Section 17(2) has been challenged by way of appeal filed under Section 17(5) of the Act which is pending before the Deputy Commissioner, Narwana.

Learned counsel prays for a direction to the appellate authority i.e. Deputy Commissioner to decide the appeal as early as possible which was reserved on 30.8.2017.

and believing the averments made in the petition and statement made by the counsel for the petitioner that the order in appeal has been reserved by the Deputy Commissioner, Narwana since 30.8.2017 but had not been pronounced, notice to the respondents is not required.

The present petition is hereby disposed of with a direction to the Deputy Commissioner, Narwana(respondent No.2) to decide the appeal pending before him within a period of seven days from the date of receipt of certified copy of this order.

(RAKESH KUMAR JAIN)
JUDGE

January 24, 2018
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No