

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

CWP No. 23010 of 2017

DATE OF DECISION : 08.05.2018

Gurdeep Singh

....PETITIONER

Versus

State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Munish Gupta, Advocate,
for the petitioner.

Mr. R.B.S. Chahal, Addl. A.G., Punjab.

* * *

AVNEESH JHINGAN, J. (Oral)

This petition has been filed seeking direction to the Collector Agrarian, Kapurthala - respondent No.2 to decide the proceedings pursuant to the remand order dated 15.05.2012 passed by this Court in CWP No. 8955 of 2004, titled as 'Sukhjinder Singh and another Versus State of Punjab and others'.

The background of the case is that in the writ petition filed by the petitioner, the matter was remanded back to the Collector to decide the surplus case afresh in light of the law laid down by this Court, referred to in the order dated 15.05.2012. It was further directed that the Collector is required to consider whether petitioners No.1 and 2 are bonafide purchasers

for consideration and have any right with regard to the property in the hands of big land owner/his legal heirs from whom they had purchased the land. The matter was remanded to the District Collector, Agrarian.

As a result of the remand, the matter was to be decided by respondent No.3, i.e. Collector Agrarian, Hoshiarpur, District Hoshiarpur. The matter remained pending with respondent No.3. The petitioner moved an application for transfer of the case in the year 2015. The Commissioner, Jalandhar Division, Jalandhar, vide order dated 26.10.2015 transferred the matter to the Collector Agrarian, Kapurthala – respondent No.2. The matter is pending till date. Hence, the present writ petition was filed for issuing direction to respondent No.2 to decide the matter.

On notice of motion, respondent No.2 has filed reply, wherein it has been stated that in spite of the request made by his office, Collector Agrarian, Hoshiarpur – respondent No.3, has not sent the whole record and for that reason, the matter has been delayed.

In view of the aforesaid fact, this petition is disposed of with a direction to respondent No.3 to provide the record asked for by respondent No.2 within a period of four weeks from today. On receipt of the said record, respondent No.2 shall decide the remand proceedings as expeditiously as possible.

May 08, 2018
ndj

(AVNEESH JHINGAN)
JUDGE

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