

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

210

**CWP No.4972 of 2015.
Date of Decision: 03.08.2018.**

Jagrup Singh and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Amit Jain, Advocate for the petitioners.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Mr. Sanjeev Soni, Advocate for respondent No.2.

Shekher Dhawan, J.

Present petition under Articles 226 and 227 of the Constitution of India is for quashing of a notice dated 04.04.2014 (Annexure-P6) issued by respondent No.2.

Learned counsel for the petitioners contended that the petitioners have been held to be owners of the suit property by the Civil Court and the said findings were affirmed by learned District Judge, Bathinda in appeal decided on 18.03.2002. Still respondent No.2 issued notice Annexure-P6 without any basis although no such proceedings by way of civil litigation were filed before the Court of competent jurisdiction to declare that the petitioners are not the owners in possession of the suit property. However, the petitioners have responded to the notice vide Annexure-P7 which is still pending with respondent No.2.

In view of the above, present writ petition is disposed of with the direction to respondent No.2 to decide the notice Annexure-P6 in light of reply Annexure-P7, by passing a speaking order expeditiously, preferably within a period of three months, after affording an opportunity of hearing to the petitioners. Meanwhile, no action be taken on the basis of notice Annexure-P6.

(SHEKHER DHAWAN)
JUDGE

03.08.2018

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No