

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

**CWP No. 24018 of 2018
Date of decision :19.9.2018**

Kiran and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Sandeep Sharma, Advocate for the petitioners.
Mr.Sandeep Moudgil, Additional Advocate General,
Haryana.

AJAY KUMAR MITTAL, J.

1. The prayer made in the writ petition under Articles 226/227 of the Constitution of India is for issuing direction to the respondents to appoint the Chairman and Judicial Member of the Tribunal constituted under Section 12-C of the Punjab Scheduled Roads and Controlled Areas Restriction of Ur-Regulated Development Act, 1963 (in short. 'the Act').

2. Mr.Sandeep Moudgil, Additional Advocate General, Haryana has put in appearance for the respondents and produced the notification dated 18.9.2018 whereby in exercise of the powers conferred by sub-Section (1) of Section 12C of the Act (Punjab Act No.41 of 1963) read with Sub-rule (4) of Rule 130 of the Punjab Scheduled Roads and Controlled Areas Restrictions of Unregulated Development

Rules 1965, the functions of the aforesaid Tribunal have been assigned to the Chairman of the Haryana Real Estate Appellate Tribunal for a period of one year or till regular appointment is made, whichever is earlier, with immediate effect. The aforesaid notification dated 18.9.2018 is taken on record. He assured the Court that insofar as the appointment of the Judicial Member is concerned, it is under active consideration and shall be filled very soon.

3. In view of the above, learned counsel for the petitioners submitted that the petition has been rendered infructuous and may be disposed of as such.

4. Disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

September 19, 2018
KD

(AVNEESH JHINGAN)
JUDGE