

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

CWP No.801 of 2018
Date of decision: 17.05.2018

Ram Julam Thakur

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr.Inderjit Sharma, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr.Vikas Bali, Advocate
for respondents No.3 and 4.

Avneesh Jhingan, J.

The present petition has been filed for quashing of order
(Annexure P-2) passed by the Collector.

The grievance raised in the petition is that an application under
Order 14 Rule 2 CPC was moved raising a preliminary issue that there is no
jurisdiction with the Court to try the petition filed before it. The said
application was dismissed vide Annexure P-2. For ready reference, the
entire order Annexure P-2 is quoted below :-

*"File is presented. Petitioner along with counsel is
present. The case was called. None appeared on
behalf of respondents. Arguments started. After
hearing the arguments the application of the
respondents is dismissed. File be present for written*

*statement of the respondent on the next date of
15.11.2017."*

From the perusal, it does not appear it is an order. Even the date of passing of the order is not there. There are no reasons for dismissing the application. From the order, even it is not evident that what application is being dealt with.

In such circumstances, the said order is set aside and the matter is remitted back to the Collector to decide the application Annexure P-8 afresh by passing a speaking order after affording opportunity of hearing to the parties concerned.

17.05.2018
anju

(AVNEESH JHINGAN)
JUDGE

1. Whether the order is speaking/reasoned:	Yes/No
2. Whether the order is reportable :	Yes/No