

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

CWP No.9257 of 2018

Date of Decision : 18.04.2018

Rajiv Gandhi Charitable Trust

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

Present: Mr.R.S.Surjewala, Advocate with
Mr.J.S.Toor, Advocate and
Mr.R.Kartikeya, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

While impugning the notice issued to it, one of the grievances that the petitioner raises before us is regarding his inability to respond to the notice in the absence of relevant documents that are required to be furnished by respondent No.1, but are necessary to formulate a response.

Having heard the learned counsel for the petitioner and noticing the fact that the petition is directed only against a notice which would necessarily warrant a response which the petitioner is unable to do on account of lack of access to certain documents, we are of the opinion that this petition can be disposed of by giving the following directions:-

1. The petitioner shall make a detailed application to respondent No.1 with particulars of the documents that he seeks, within a period of one week from today, upon which the respondent No.1 shall provide the requisite documents within four weeks thereafter.
2. The petitioner shall submit his response within 6 weeks after the receipt of requisite information/documents.
3. The respondent No.1 on receipt of the reply furnished by the

petitioner shall pass a speaking order after affording an opportunity of hearing to the petitioner and till that time no coercive action against the property of the Trust shall be resorted to by the respondents.

Ordered accordingly.

We also make it clear that the language of the notice though suggestive of predetermining the issue shall not be construed as such and a speaking order as indicated above shall be passed.

(MAHESH GROVER)
JUDGE

18.04.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No