

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

133

RSA-1738-2016 (O&M)
Date of Decision : 20.11.2018

Roshan Lal

....Appellant

vs.

Union of India and others

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. K.S.Banyana, Advocate
for the appellant.

Dr. Sushil Gautam, DAG, Haryana
for respondents No.2 and 3.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of
the Courts below dismissing a suit filed by the appellant.

On the last date the following order was passed :-

*“Learned counsel relies upon the order dated 19.10.2012
passed by this Court in RSA No.4357 of 2012 titled as State of
Haryana through Collector, Ambala and others Vs. Krishan Lal.*

Notice of motion. Notice Re: stay.

*On the asking of the Court, Dr. Sushil Gautam, D.A.G.,
Haryana, accepts notice on behalf of respondents No.2 & 3.*

*Learned counsel for the appellant undertakes to supply
two copies of the paper book to the learned State counsel during the
course of
the day.*

Adjourned to 20.11.2018.

To be shown in the urgent list.”

Learned DAG has very fairly accepted that facts of the case are covered by the decision of this Court in State of Haryana through Collector, Ambala (supra) as the name of the appellant was incorporated in the revenue record.

Consequently, in terms of the decision of State of Haryana through Collector, Ambala (supra), it was incumbent upon the authority to have issued notice to the appellant. In the circumstances, the appeal is allowed and the impugned order is set aside with same caveat as provided in the aforesaid judgment that it would always be open to the authority to proceed afresh by giving notice to the appellant as per law.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

20.11.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No