

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

**RA-CW-283-2018 in CWP-19171-
2018**

**Bahadur Singh
Versus
Financial Commissioner
(Revenue), Punjab & Ors.**

Present: Mr. GP Vashisht, Advocate for the review-applicant/petitioner

Ms. Simran Grewal Randhawa, AAG Punjab

Mr. Jaideep Verma, Advocate for respondent No.4

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Review application has been filed primarily on the ground that respondent No.4 (Sukhwinder Singh) was appointed by the Collector in spite of the fact that on an earlier occasion, there was a remand on 11.05.2012 (A2) by the District Collector, Ludhiana whereby report had to be sent by the SDM and the parties had been granted opportunities to produce their evidence.

Counsel for the applicant/petitioner submits that before SDM, respondent No.4 did not come forth and thus had been proceeded against *ex-parte* and therefore the recommendation was made in favour of the Jaswant Singh who was none other than the father of respondent No.4. It is submitted that in such circumstances, appointment of respondent No.4 was uncalled for in the first instance itself which order has been further upheld upto the Financial Commissioner. A perusal of order of Collector dated 11.05.2012 (A2) which has now been placed on record along with the review application would go that this fact could not be brought to the notice of this Court at the time when the writ petition was dismissed *in limine* on

06.08.2018. Resultantly, sufficient cause is made out to review the order, by recalling the same.

The review application is accordingly allowed and the main case is restored to its original number and file.

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Let notice of motion be issued in the main case.

On the asking of the Court, Ms. Simran Grewal Randhawa, AAG Punjab accepts notice on behalf of respondents No.1 to 3 and Mr. Jaideep Verma, Advocate accepts notice on behalf of respondents No.4&5. Copies be supplied during the course of day.

Adjourned to 13.02.2019.

Pleadings be completed meanwhile.

17.12.2018
Vvishal

(G.S. Sandhawalia)
Judge