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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 9465/2017

SATISH KUMAR & ORS ..... Petitioner

Through Mr.S.N.Gupta with Mr.Abhishek Vashist, Advocates.

versus

THE FINANCIAL COMMISSIONER, GOVT. OF NCT OF DELHI & ANR

..... Respondent

Through Mr. Devesh Singh, Advocate for R-1.
Mr.D.S.Chauhan, Advocate for R-2.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

O R D E R

% **08.02.2018**

Vide the present petition, the petitioners have prayed for quashing of the order dated 01.06.2017 passed by the respondent no.1/Financial Commissioner, Govt. of NCT, Delhi in Case No. 119/2017 titled as ***Arjun Dev Saini v. Consolidation Officer & Ors,*** whereby while taking up the appeal preferred by respondent no.2 upon mentioning, respondent no.1 had granted an order of 'status quo'. The main grievance raised by the petitioner in the petition is that the aforesaid 'status quo' order was being continued from time to time and despite repeated requests, the appeal was not being heard on merits. In support of his submissions that the order passed on 01.06.2017 is wholly illegal, Mr.S.N.Gupta, learned counsel for the petitioners points out that the said impugned order records the statement made by learned counsel for the respondent no.2 that arguments in the matter had been heard and reserved for orders by the Revenue Assistant on 30.03.2017, whereas the final order was passed by the Revenue Assistant on 28.03.2017 itself i.e. prior to the date of reserving order. He submits that the said statement made by learned counsel for the respondent no.2 was patently false as the record clearly shows that arguments were heard and reserved for orders on 23.02.2017 whereafter orders were pronounced on 28.03.2017. He, therefore, submits that while passing the impugned order dated 01.06.2017 granting status quo, the respondent no.1 has overlooked this vital fact and mis-statement made by learned counsel for the respondent no.2.

At this stage, learned counsel for the respondent no.1 submits on instructions, that in view of the facts brought out in the petition, the respondent no.1 will take expeditious steps to dispose of the appeal filed by respondent no.2. Learned counsel for the petitioner has no objection to the aforesaid course of action. He, however, submits that respondent no.1 be directed to dispose of the appeal in a time bound manner.

Keeping in view the facts as recorded hereinabove, it is deemed appropriate to direct respondent no.1 to hear final arguments in Case No.119/2017 on 22.02.2018 i.e. the date already fixed. It is also made clear that no adjournment will be granted to either of the parties on the said date. However, in the event the Financial Commissioner for any reason does not hold Court on the said date, the matter would be fixed for following date itself or the shortest possible date.

The writ petition is disposed of in the above terms with no order as to cost.

REKHA PALLI, J

FEBRUARY 08, 2018
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