

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

CWP-3506-2019

Date of decision:8.2.2019

Balbir Singh Pehal

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr.Jagdish Manchanda, Advocate for the petitioner

Mr.SK Saini, AAG, Haryana

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**JITENDRA CHAUHAN, J.**

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing of order dated 23.1.2019 (Annexure P-12) passed by respondent No.1- Financial Commissioner, Panchayat and Development Department, Haryana and also order dated 9.11.2017 passed by respondent No.3- Deputy Commissioner, Sonapat.

Learned counsel for the petitioner submits that due to some unavoidable circumstances, the counsel for the petitioner could not appear before the appellate authority and his appeal was dismissed for non-prosecution on 8.5.2018 and the application for restoration was dismissed by disbelieving the assertion of the learned counsel for the petitioner vide order dated 23.1.2019 (Annexure P-12).

A complete set of paper book has been supplied to Mr.SK

Saini, AAG, Haryana in the Court.

Having heard the learned counsel for the parties and perusing the case file, without adverting to the merit of the case, the Court feels that the ends of justice would be better served if the matter is remanded to the learned appellate court for deciding the same afresh and adjudication thereon as per its merit. However, the same shall be subject to payment of costs of Rs.20,000/- in favour of the State to be deposited with respondent No.3- Deputy Commissioner, Sonapat. Considering the nature of issues involved and the chequered history of the matter, the appellate authority is requested to decide the matter expeditiously.

8.2.2019  
gsv

**(JITENDRA CHAUHAN)**  
**JUDGE**

**Whether speaking / reasoned?**

**Yes / No**

**Whether reportable?**

**Yes / No**