

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17008-2016

Date of Decision: 06.09.2019

Rajiv Rattan

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. S.S. Narula, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, A.A.G, Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Mr. Narula, learned counsel for the petitioner, submits that, firstly, the learned Magistrate who took cognizance of the matter should have sent the complaint in writing to another Magistrate of the Ist Class having jurisdiction. Second, the directions issued by the hon'ble Building Committee of this Court, could not have been accepted to be directions issued by a Court, as were violated; and moreover, he submits that in any case the said directions stand complied with, as had already been recorded in the order of this Court dated 23.05.2016, which reads as follows:-

“Learned counsel for the petitioner has placed on file a letter dated 19.5.2016 from the Deputy Commissioner, Sonipat along with the photographs showing that Poly House has been removed and it is being developed into park. The grass has been planted.

Notice of motion.

Mr.Pawan Gaur, DAG Haryana accepts notice.

In the meanwhile, operation of the impugned order shall remain stayed.

Adjourned to 8.9.2016.”

The aforesaid letter dated 19.05.2016 is also on the case file (at page no. 157 thereof).

The matter in any case having been resolved and the alleged misconduct/disobedience of the directions issued having been 'rectified', by the Deputy Commissioner of the district on an issue of misuse of the land behind his house, in my opinion, it would be appropriate to put an end to the matter.

Consequently, the impugned order, summoning the (former) Deputy Commissioner, Sonapat, with cognizance of the complaint having been taken by the same order, is set aside.

Petition disposed of.

September 06, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.