

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

CWP No.7709 of 2019

Date of decision: March 20, 2019

Goda Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

**Coram: Hon'ble Mr. Justice Rakesh Kumar Jain
Hon'ble Mr. Justice Harnaresh Singh Gill**

**Present: Mr. Rajbir Singh Arya, Advocate,
for the petitioner.**

Rakesh Kumar Jain, J. (Oral)

This petition is filed for the issuance of a writ in the nature of *certiorari* for quashing the order dated 30.09.2014 passed by the Commissioner, Gurugram, exercising his powers under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and the order dated 13.07.2015 passed by the Consolidation Officer-cum-Tehsildar, Narnaul.

During the course of hearing, counsel for the petitioner has admitted that aggrieved against the aforesaid orders, one Inder Kumar had served legal notice-cum-representation dated 16.12.2015 and contempt notice dated 20.08.2016 upon the official respondents and when no action was taken upon his legal notice-cum-representation and contempt notice, he filed CWP No.5445 of 2017, which was disposed of by this Court on 17.03.2017 with the following order:-

“Learned counsel for the petitioner submits that he will be satisfied if direction is issued to respondent no.2 for taking appropriate action on the legal notice-cum-representation dated

16.12.2015 (Annexure P-5) and contempt notice dated 20.08.2016 (Annexure P-6) within a stipulated period.

Without going into the merits and demerits of the matter, I direct respondent No.2 to consider the legal notice-cum-representation dated 16.12.2015 (Annexure P-5) and contempt notice dated 20.08.2016 (Annexure P-6) served upon him by the petitioner and pass a speaking order thereon, in accordance with law within a period of two months from the date of receipt of certified copy of this order.

The writ petition stands disposed of with the above direction.

It is, however, submitted by the counsel for the petitioner that despite the directions issued by this Court to pass a speaking order within a period of two months upon the legal notice-cum-representation dated 16.12.2015 and contempt notice dated 20.08.2016, nothing has been done by the official respondents till date.

Now the factual position emerges out of the peculiar facts of this case is that the petitioner is basically aggrieved against the inaction on the part of the official respondents in not passing speaking order on the legal notice-cum-representation dated 16.12.2015 and contempt notice dated 20.08.2016, against which the petitioner has an appropriate remedy to approach the concerned authorities or the contempt Court.

In view of the above, the present writ petition is dismissed being not maintainable in the present form.

(Rakesh Kumar Jain)
Judge

March 20, 2019
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(Harnaresh Singh Gill)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No