

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

**CWP No.15540 of 2019
Date of Decision: 30.05.2019**

Sanjit Singh Randhawa and another

.....Petitioners

Versus

The Adjudicating Authority under the Prohibition of Benami
Property Transactions Act, 1988 and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. Nitin Kaushal, Advocate for the petitioners.

JASWANT SINGH, J. (ORAL)

The petitioners are facing proceedings before the
Adjudicating Authority under the Prohibition of Benami Property
Transactions Act, 1988 (in short "Benami Act") vide reference
No.R-1071 dated 20.11.2018.

The grievance raised by the petitioners is that their
application dated 20.02.2019 (**Annexure P-2**) made before the
Authority for supply of certain documents, in the possession of
the initiating officer/respondent No.2 relied upon by the
prosecuting agency, for just and proper defence, is not being
decided expeditiously in the backdrop of the time limit
postulated under the Benami Act for completion of the
proceedings by the Adjudicating Authority. Reliance has been
placed on a judgment passed by High Court of Madhya Pradesh
in **Writ Petition No.16633 of 2018** titled as **Harivallabh
Mohanlal Joshi and others Vs. Union of India and others**
decided on 13.08.2018. Thus, limited prayer is for a direction to

the Adjudicating Authority to decide the pending application.

On asking of the Court, Mr. Chetan Mittal, Additional Solicitor General with Mr. Yogesh Putney, Advocate has put in appearance on behalf of Union of India.

After hearing counsel for the parties, the present writ petition is disposed of with a direction to the Adjudicating Authority concerned to decide the pending application (**Annexure P-2**) by passing a speaking order in accordance with law on or before 07.07.2019.

Disposed of in the above terms.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

30.05.2019
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No