

CWP-19917-2019

Date of decision: 16.12.2019

BALAK RAM AND OTHERS

...PETITIONERS

VS.

FINANCIAL COMMISSIONER, HARYANA AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. C.B.Goel, Advocate,
and Mr. Sukesh, Advocate,
for the petitioners.

Mr. Shivendra Swaroop, AAG, Haryana,
for the State.

Mr. Vikram Singh, Advocate,
for respondents No. 4 and 5.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court challenging the order dated 04.06.2019 (Annexure P-9) passed by the Chief Secretary-cum-1st Financial Commissioner, Department of Revenue, Haryana-respondent No. 2, whereby the revenue authorities of Tehsil Samalkha, District Panipat have been restrained from executing the warrant of possession dated 14.05.2019.

Having heard the learned counsel for the parties and without going into the merits of the case, this Court is of the view that the interest of justice would be duly served if a direction is issued to the Financial

Commissioner dealing with ROR No. 188 of 2015-16 titled as Natha Ram and another vs. Tehsildar-cum-Assistant Collector 1st Grade and others, wherein the petitioners herein are respondents No. 2 to 4 and have been shown to be the only contesting respondents, to hear and decide the main revision petition on early date.

It has also been informed by the counsel for the parties that the date fixed before the learned Financial Commissioner in ROR No. 188 of 2015-16 is 11.02.2020 but keeping in view the peculiar facts and circumstances of the present case, the hearing of the revision petition is preponed and the same is ordered to be listed before the Financial Commissioner on 08.01.2020. The Financial Commissioner is requested to proceed to decide the above-mentioned revision petition on the said date and if for some reason, he is unable to decide the same on the said date, decide the same on or before 15.01.2020. The interim order dated 04.06.2019 (Annexure P-9) shall operate till the decision of the revision petition but in no case beyond 15.01.2020 whichever is earlier.

Parties are directed to appear before the Financial Commissioner on the above-said date i.e. 08.01.2020 in person or through their counsel. If any of the parties are either not present or their counsel does not put in appearance, the Financial Commissioner shall still proceed to decide the revision petition on the basis of the records, for this, the counsel for the parties have no obligation.

Writ petition stands disposed of with above directions/observations.

Copy of this order be given **dasti** to the counsel for the State of Haryana for conveying the same to the concerned Financial Commissioner.

Copy of this order be sent to respondent No. 1 by the Registry also forthwith.

December 16, 2019

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No