

CWP-28779-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28779-2017

Date of Decision: 27th November, 2019

Naranjan Singh

...Petitioner

Versus

Financial Commissioner (Revenue) Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. T.P.S. Chawla, DAG, Punjab
for respondents No.1 and 2.

Mr. Dinesh Kumar, Advocate
for respondents No.3 and 4.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court challenging the order dated 12.07.2017 (Annexure P-2) passed by the Financial Commissioner (Revenue), Punjab - respondent No.1, whereby, in a revision petition, which is alleged to be delayed by 180 days, the Financial Commissioner, without condoning the delay in filing the revision petition, has proceeded to set aside the order passed by the Assistant Collector 1st Grade on the ground that petitioners have been proceeded against *ex parte*. It is contended that even the records were not called for to verify as to whether the petitioners have been rightly proceeded against *ex parte* or not.

Neither counsel for the State nor counsel for respondents No.3

CWP-28779-2017

and 4 is able to contradict the statement made by the learned counsel for the petitioner.

In view of the above and keeping in view the provisions of Section 16 of the Punjab Land Revenue Act, 1887, which mandates hearing of the parties, the impugned order dated 12.07.2017 (Annexure P-2) passed by the Financial Commissioner (Revenue), Punjab, cannot sustain and is, therefore, set aside. The writ petition stands allowed.

Parties are directed to appear before the Financial Commissioner (Revenue), Punjab, on 16.12.2019. The Financial Commissioner (Revenue), Punjab, shall, after hearing the parties and perusing the records, proceed to decide the revision petition in accordance with law.

27th November, 2019
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No