

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 29239 of 2019

Date of Decision: 16.10.2019

JUNA RAM

... Petitioner

VS.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present: Mr. Sachin Gupta Ladwa, Advocate,
 for the petitioner.

RAKESH KUMAR JAIN, J. (Oral)

The petitioner has made an innocuous prayer for the issuance of a writ in the nature of *mandamus* to direct respondent No. 2 to decide his case No. 198/DDPO filed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short “the Act”) against respondents No. 3 to 7.

Counsel for the petitioner has contended that the petitioner had filed his affidavit in examination-in-chief on 12.11.2018 and thereafter case was adjourned for his cross-examination. While referring to the *zimni* orders reproduced in this petition, it is submitted that the petitioner has appeared for more than 20 times for the purpose of his cross-examination but every time the case was adjourned by respondent No. 2 without assigning any reason for the adjournment. As a result thereof, the said case is not making any head way and respondents No. 3 to 7, who are allegedly having unauthorized occupation over the *panchayat* land, are having the advantage of adjournments. A prayer is, thus, made that direction may be issued to respondent No. 2, who is seized of case No. 198/DDPO filed by the

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petitioner, to decide the same as early as possible, preferably within some prescribed time as may deem fit by this Court.

We have heard counsel for the petitioner and after taking into consideration the aforesaid facts and circumstances, are of the considered opinion there is no need to issue notice of motion in such type of cases because of the innocuous prayer. In view thereof, the writ petition is, thus, allowed and a direction is issued to respondent No. 2, who is seized off the case No. 198/DDPO, to decide the same as early as possible but preferably within three months from the date of receipt of certified copy of this order.

(RAKESH KUMAR JAIN)
JUDGE

October 16, 2019
Ess Kay

(ARUN KUMAR TYAGI)
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	<i>/</i>	<i>No</i>