

CWP No.34924 of 2019

Date of Decision : 02.12.2019

Joginder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present : Mr. R.S. Sihota, Sr. Advocate with
Mr. Parveen Chauhan, Advocate and
Mr. B.R. Rana, Advocate for the petitioner.

Petitioner has approached this Court for setting aside the order dated 18.09.2019, (Annexure P-12) passed by Tehsildar (Sales)-cum-Managing Officer, Panipat whereby ex parte order has been passed ordering eviction of the petitioner. Perusal of the statute would show that against an order passed under Section 5 and 6 of the Haryana Evacuee Property (Management and Disposal) Act, 2008, an appeal is maintainable before the Commissioner (Sales) under Section 7 of the said act.

The arguments as has been raised by learned Senior counsel for the petitioner is that the procedure as prescribed under Section 5 and 6 of the Haryana Evacuee Property (Management and Disposal) Act, 2008 has not been complied with, could be a good ground for Appellate Authority to look into. All these pleas, which have been sought to be taken in the present writ petition can be raised before the Appellate Authority. This Court would not like to interfere in the matter. Petitioner

if so advised may avail of the remedies as provided for under the statute.

The present writ petition stands disposed of with the above observations.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

02.12.2019
Manpreet

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No