

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

CWP-5178-2020

Date of decision: 26.2.2020

Om Parkash and others

.....Petitioners.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Deepam Raghava, Advocate for the petitioners.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

.....

Sanjay Kumar, J. (ORAL)

The grievance of the petitioners is that the Commissioner, Municipal Corporation, Gurugram, State of Haryana, is not deciding their appeals, which were instituted as long back as in the year 2014.

Perusal of the record reflects that the petitioners earlier approached this Court by way of separate writ petitions which were disposed of by orders dated 06.03.2014 relegating them to the remedy of appeals and directing that till a decision was taken by the Municipal Corporation, be it in the stay applications or in the main appeals, no coercive steps should be taken against the petitioners.

Mr. Deepam Raghava, learned counsel for the petitioners, would assert that pursuant to the aforesaid orders, the petitioners preferred appeals before the Commissioner, Municipal Corporation, Gurugram, in the year 2014, but no steps are being taken by the appellate authority to dispose of the same.

In the light of the order proposed to be passed, it would not

be necessary to afford the respondents an opportunity of hearing.

As the petitioners were relegated to the remedy of appeals by this Court and they claim to have instituted appeals long ago, it is not open to the appellate authority to sleep over the same indefinitely.

The writ petition is accordingly disposed of directing the Commissioner, Municipal Corporation, Gurugram, the second respondent, to forthwith take up the petitioners' appeals, if not disposed of already, and pass appropriate orders thereon in accordance with law. The appellate authority shall give due opportunity of hearing to the petitioners before passing final orders. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a certified copy of the order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

26.2.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no