

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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COCP No.1087 of 2020
Date of Decision: 15.6.2020

Chanderphool

....Petitioner

Vs.

Keshni Anand Arora and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Kshitij Sharma, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 Pandemic.

By this petition, the petitioner alleges non-compliance of the order of a Division Bench of this court dated 17.12.2019, passed in CWP no.36481 of 2019 (copy Annexure P-1), by which the respondents therein have been directed to consider the legal notice issued on behalf of the petitioner and to take action accordingly, expeditiously.

Mr.Sharma, learned counsel for the petitioner, submits that though he has received a copy of the order passed today itself (dated 15.6.2020), by the Controller, Legal Metrology, Haryana, the said order is rather confusing because though on the first page thereof observations on the merits of the case have been made, stating to the effect that the vehicles were duly checked by the Inspector, however thereafter, the representation

is finally disposed of by stating in the last part of the order that because the matter is *sub judice* before the High Court of Himachal Pradesh, the Controller is unable to decide it on merits.

Mr.Pawan Kumar Longia, learned DAG, Haryana, in fact reiterates the above, to submit that though the matter pertaining to the petitioners' grievance has been dealt with on the first page of the said order dated 15.6.2020 (not presently on record but sent by the counsel for the State to the staff of this court by a "WhatsApp communication"); however, since the matter is actually *sub judice* in a writ petition before the High Court of Himachal Pradesh, the Controller found himself unable to effectively state that the petitioners' legal notice is being decided.

Having considered the aforesaid contentions, this petition is disposed of, with it observed by this court that seemingly at least, despite the Controller stating that he is unable to deal with the matter in view of the petition pending before the Himachal Pradesh High Court, he has dealt with it on the first page of the order and consequently, the petitioner, if aggrieved of any part of the order, would be at liberty to challenge it by way of appropriate proceedings as per law.

15.6.2020
pk/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
No/Yes