

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

**CM-7805-CWP-2020 in/and
CWP No.10192-2020 (O&M)
Date of decision : 24.08.2020**

Jagdeep Singh & ors.

..... Petitioners

versus

Joint Development Commissioner & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE JASGURPREET SINGH PURI**

Present :- Mr. J.S.Bhandohal, Advocate
for the petitioners.

Mr. Nandan Jindal, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

CM-7805-CWP-2020

1 For the reasons recorded, the application is allowed. Written
statement on behalf of respondent No.2 is taken on record.

Main case

2 By this petition, the petitioner has challenged the order
Annexure P-2 passed by the respondent No.1 whereby he set aside the
order Annexure P-1.

3 The ground taken is that this order was passed without
issuing notice to the present petitioners who were the successful auction
purchasers.

-2-

4 Counsel for respondent No.2 has sought to argue that the Commissioner has not granted any substantive relief but has only cancelled the auction and the petitioners are welcome to participate in the fresh auction.

5 In our opinion this is not a complete answer. The fact remains that an appeal was decided without hearing the effective parties. In the circumstances, we set aside the order Annexure P-2 and direct the respondent No.1 to re-decide the appeal after hearing the parties.

6 Petition stands disposed of with the above terms.

7 Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(JASGURPREET SINGH PURI)
JUDGE

24.08.2020

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No