

**CM-7706-CWP-2020 in/and CWP-11305-2020
CM-7713-CWP-2020 in/and CWP-11304-2020**

ANURADHA
2020.08.25 15:59
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of Decision : 24.8.2020

CM-7706-CWP-2020 in/and CWP-11305-2020

Gram Panchayat Village Bahri

....Petitioner

vs.

State of Haryana and others

....Respondents

CM-7713-CWP-2020 in/and CWP-11304-2020

Gram Panchayat Village Bahri

....Petitioner

vs.

State of Haryana and others

....Respondents

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

Present :- Mr. Nonish Kumar, Advocate
for the applicant-petitioner.

AJAY TEWARI, J. (Oral)

**CM-7706-CWP-2020 in/and CWP-11305-2020
CM-7713-CWP-2020 in/and CWP-11304-2020**

These are two applications for restoring the above noticed petitions by recalling the order dated 6.8.2020 whereby the writ petitions were dismissed as withdrawn with liberty to take up the statutory remedy.

Learned counsel has argued that on the last date the cases were wrongly withdrawn on the ground that he would take statutory remedy but in fact there is no statutory remedy available and therefore permission is to revive the petitions and to be heard the same on merits.

For the reasons recorded, the applications are allowed and the

main petitions are taken up for hearing on merits today itself.

Main cases

These petitions have been filed for issuance of a writ in the nature of certiorari for setting aside the ex-parte order dated 11.5.2020 passed by respondent No.2 whereby application for stay had been entertained even after the execution which had taken place as per order dated 18.04.2020.

As per the averments, the petitioner has repeatedly urged the Collector to hear the case but the same has not been heard even though it was adjourned for 1.7.2020, 15.7.2020, 24.7.2020 and 15.8.2020.

In our opinion, there is no ground to exercise the extraordinary jurisdiction under Article 226 of the Constitution of India and consequently, these petitions are dismissed. However, a direction is issued to the respondent No.2 to decide the appeal expeditiously but in any case within a period of one month from the date of receipt of a certified copy of this order.

Since, the main case is disposed of, pending application(s) if any stands disposed of.

(AJAY TEWARI)
JUDGE

(JASGURPREET SINGH PURI)
JUDGE

24.8.2020
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No