

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

(I) CWP No.28047 of 2018
Date of decision: 05.02.2020

Dharam Pal and others

.....Petitioners

V/s.

State of Haryana and another

.....Respondents

(II) CWP No.20144 of 2019

Manjit Singh and another

.....Petitioners

V/s.

State of Haryana and another

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Vikram Singh, Advocate,
for the petitioners in CWP No.28047 of 2018.

Mr. Vimal Kumar Gupta, Advocate,
for the petitioners in CWP No.20144 of 2019.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Sanjay Kumar, J. (Oral)

The prayers of the petitioners in these two cases, 18 in all, is to direct the Deputy Commissioner, Yamuna Nagar, District Yamuna Nagar, the second respondent, to allow them to move their shops back onto the vacant land belonging to the State Government.

It is the case of the petitioners that they have been running the

shops in question since the year 1983 and the same were allotted to them on lease basis by the Panchayat Samiti of Sabalpur, District Yamuna Nagar.

The petitioners submitted applications in this regard on 24.09.2018 to the second respondent and it is their complaint presently that no action is being taken thereupon.

Despite notice of motion being ordered in CWP No.28047 of 2018 as long back as on 31.10.2018, no written statement has been filed by the authorities.

Mr. Rajesh Gaur, learned Additional Advocate General, Haryana, appearing for the authorities, would seek further time to do so but this Court is of the opinion that there is no purpose served by keeping these writ petitions pending for adjudication on merits.

It is the specific case of the petitioners that their applications dated 24.09.2018 have not been acted upon by the jurisdictional authority, viz, the second respondent. It is for the second respondent to apply his mind to these applications on their own merits and in accordance with law and take a decision. Without such an exercise being undertaken, this Court would have no occasion to adjudicate upon the issue.

The writ petitions are accordingly disposed of directing the Deputy Commissioner, Yamuna Nagar, District Yamuna Nagar, the second respondent in both writ petitions, to consider the petitioners' applications dated 24.09.2018 on their own merits and in accordance with law and take a decision thereon. The same shall be communicated to the petitioners. This entire exercise shall be completed expeditiously and in any event, not later

than four weeks from the date of receipt of a certified copy of this order.

No order as to costs.

05.02.2020.
rakesh

(SANJAY KUMAR)
JUDGE

whether speaking/non speaking
whether reportable/non reportable

:
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Yes/no
Yes/no