

128+266 **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CM-2454-CWP-2020 and
CWP-36003-2019**

Date of Decision: February 12, 2020

Hari Om

....petitioner

Versus

Appellate Tribunal-cum-District Magistrate and others respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sumit Sangwan, Advocate
 for the petitioner.

 Mr. R.S. Sangwan, Advocate
 for respondents No. 3 and 4.

Lisa Gill, J.

The petitioner challenges order dated 08.09.2017 (Annexure P2) and 03.07.2019 (Annexure P9). It is submitted that the petitioner never engaged any counsel to represent him before the learned appellate Authority, therefore, order dated 03.07.2019 (Annexure P9) has been incorrectly passed, purportedly on the basis of a concession on behalf of the petitioner.

Learned counsel for respondents No.3 and 4 at the outset submits that he has no objection in case, the matter is remanded before the learned Appellate Authority, to be decided afresh after giving due opportunity of hearing to both the parties. Learned counsel for the petitioner raises no objection thereto.

Keeping in view the specific stand of the parties, order dated 03.07.2019 (Annexure P9) is set aside. The matter is remitted to the learned appellate Authority, to be decided afresh after affording proper opportunity of hearing to both the parties.

Parties to appear before the learned appellate authority on 03.03.2020. Learned appellate Authority to thereafter decide the matter expeditiously and preferably within two months.

Petition is, accordingly, disposed of.

February 12, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No