

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2189 of 2021

Date of decision: 01.02.2021

Sher Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: None for the petitioner.

Harsimran Singh Sethi, J. (Oral)

As per the averments made in the present writ petition, respondent No.6 was found in illegal possession of the Gram Panchayat land and keeping in view the said finding of the illegal possession, the Sub Divisional Magistrate, Kharar has passed order dated 19.06.2020 (Annexure P/4) for taking action against respondent No.6. The said letter was challenged by respondent No.6 by way of filing CWP No.9472 of 2020, which was dismissed by the Co-ordinate Bench of this Court on 08.07.2020 and thereafter, even, LPA filed by respondent No.6 being LPA No.478 of 2020 has been dismissed by the Division Bench of this Court on 06.08.2020. The grievance of the petitioner is that despite the fact that action has been recommended against respondent No.6 by the Sub Divisional Magistrate, Kharar, no action has been taken by respondent No.2

to 5 on the said recommendation despite the expiry of more than six months.

The prayer of the petitioner is for issuance of a direction to respondents No.2 to 5 to take an appropriate action on the letter dated 19.06.2020 written by the Sub Divisional Magistrate, Kharar for taking action against respondent No.6.

From the pleadings, it transpires that the petitioner has already raised the said grievance before the Deputy Commissioner, SAS Nagar, Mohali vide representations dated 13.08.2020 and 22.12.0220 (Annexures P/9 and P/10) respectively, which representations, according to the pleadings, are still pending consideration with the said authorities and interest of justice will be served in case a direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made as per pleadings, respondent No.2 is directed to decide representations dated 13.08.2020 and 22.12.0220 (Annexures P/9 and P/10) respectively by passing a speaking order within a period of three months from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

February 01, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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