

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

113

CWP-23227-2021

Date of Decision: 29.11.2021

Tej Pal and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE
MASIH.**

HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Vikram Singh, Advocate for the petitioners.

Mr. Devender Kumar, Advocate
for the caveator.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana.\

Mr. Siddharth Batra, Advocate and
Mr. Abhinav Sood, Advocate for respondents No.6 to 10.

AUGUSTINE GEORGE MASIH, J. (Oral)

Challenge in this writ petition is to the order dated 09.09.2021 (Annexure P-26) passed by the Commissioner, Faridabad Division, Faridabad exercising the powers under Section 42 of the East Punjab Consolidation (Prevention and Fragmentation) Act, 1948.

From the perusal of the said order, it is apparent that the submissions which have been made by the parties and to some extent the arguments raised by the learned counsel for the parties, have been referred to in detail but unfortunately as far as the order passed by the Commissioner, Faridabad Division, Faridabad is concerned, no reasoning whatsoever has come forth indicating the aspect as to why the Authority has accepted the order dated 28.01.2021 (Annexure P-29) of the Assistant Director, Consolidation-cum-Deputy Commissioner, Faridabad.

We do not want to further elaborate or delineate this aspect lest any of the parties, in any manner, is prejudiced. Instead, we set aside the impugned order dated 09.09.2021 (Annexure P-26) passed by the Commissioner, Faridabad Division, Faridabad and remand the case back for fresh decision. Parties are directed to appear before the Commissioner, Faridabad Division, Faridabad on 09.12.2021. The Commissioner, Faridabad Division, Faridabad shall thereafter proceed to decide the matter within the period of three months from the date of appearance of the parties.

Writ petition stands disposed of with above observations.

(AUGUSTINE GEORGE MASIH)
JUDGE

29th November, 2021
rajender

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.