

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(126)

CWP-693-2023

Date of decision: - 13.01.2023

Bhag Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Surjit Singh, Advocate
for Mr. Vikram Singh, Advocate
for the petitioner.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus for staying the operation and implementation of the orders dated 13.07.2022 (Annexure P-4); order dated 14.03.2019 (Annexure P-3) and order dated 22.03.2018 (Annexure P-1) during the pendency of ROR No.564 of 2021-22 (Annexure P-5).

Learned counsel for the petitioner has submitted that the petitioner has filed a petition bearing ROR No.564 of 2021-22 along with the stay application and the same is listed before the Financial Commissioner, Haryana, Chandigarh for 02.02.2022. It is submitted that the petitioner would be satisfied in case the Financial Commissioner, Haryana, Chandigarh is directed to take up that case for preliminary hearing on 02.02.2023 or immediately thereafter, in any manner, within a

period of one month from the date of receipt of certified copy of this order and to consider the stay application of the petitioner.

Learned State counsel has submitted that every endeavor would be made by the Financial Commissioner, Haryana, Chandigarh to take up the said ROR No.564 of 2021-22 (Annexure P-5) filed by the petitioner for preliminary hearing on 02.02.2022 or immediately thereafter. It is further submitted that however the said direction should not be construed to the effect that the Financial Commissioner, Haryana, Chandigarh is required to stay the proceedings.

Keeping in view the facts and circumstances, the present petition is disposed of with a direction to the Financial Commissioner, Haryana, Chandigarh to take up the ROR No.564 of 2021-22, along with the stay application, on 02.02.2023 or immediately thereafter for preliminary hearing and to consider and decide the case or at any rate, the stay application, within a period of one month from the date of receipt of certified copy of this order.

It is made clear that this Court has not given any opinion on the merits of the case and the above-said ROR as well as the stay application would be considered independently by the Financial Commissioner, Haryana, Chandigarh.

January 13, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No