

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-904-2023

Date of decision : 17.01.2023

Gulshan and others

... Petitioners

Versus

The State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ashish Aggarwal, Senior Advocate with
Mr.Vishal Pundir, Advocate
for the petitioners.

Mr.Rajneesh Chadwal, AAG, Haryana
for respondents no.1 to 3.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of writ, order or direction especially in the nature of mandamus directing the prescribed authority-cum-Sub-Divisional Officer (Civil)-respondent no.2 to decide the surplus area case of the Predecessor-in-interest of the petitioner i.e., Ralla Singh, in pursuance of the directions passed by a coordinate Bench of this Court in CWP no.11951 of 1992 decided on 19.05.2014 while remanding the matter in a time bound manner.

Learned senior counsel for the petitioner has submitted that a coordinate Bench of this Court vide order dated 19.05.2014 passed in CWP no.11951 of 1992 had, while allowing the writ petition and quashing the impugned proceedings, directed the authorities to take a declaration of the

make fresh determination, in accordance with law. It is submitted that a specific application was also filed before the prescribed authorities in the year 2021 under Section 144 CPC read with Section 151 CPC for restoration /return of land measuring 612 kanal 16 marla situated at Chanalheri, Tehsil Pehowa, District Kurukshetra. Reference has been made to the various zimni orders, which have been reproduced in paragraph 11 to highlight the fact that in spite of the fact that the case has been fixed for several dates but no effective progress has been made in the same and the case is now fixed for 27.01.2023. It is stated that in the present case, service and pleadings are complete and the matter is at the final stage of the arguments and thus, prayed that respondent no.2 be directed to decide the case as expeditiously as possible and in any case within a period of three months from 27.01.2023.

Learned State counsel has stated that every endeavour would be made by respondents no.1 to 3 to decide the case as expeditiously as possible.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to decide the surplus area case of Ralla Singh @ Ralla Ram as expeditiously as possible, preferably within a period of three months from 27.01.2023.

The counsel appearing before the authorities are requested to fully assist the Court in expeditious disposal of the case.

(VIKAS BAHL)
JUDGE

January 17, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No