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

CWP-1990-2023

Date of decision : 02.02.2023

Dayal Singh @ Gurdiyal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. H.C. Arora, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 4.

Mr. Rakesh Kumar Kachura, Advocate for
Mr. G.N. Malik, Advocate for respondent No.5.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.2 to 4 to conduct fresh-survey of Wakf properties as envisaged in Section 4(6) of the Wakf Act, 1995, situated in the State of Punjab at least in Ludhiana District within a specific time frame so as to put an end to avoidable disputes in pursuance of decision dated 03.11.2009 (Annexure P-6) of respondent-State Government directing for fresh survey.

Learned counsel for the petitioner has submitted that for the grievances raised by the present petitioner, representation/legal notice dated 11.02.2021 (Annexure P-18) has been given by the petitioner to the authorities

including respondent No.4-Deputy Commissioner Ludhiana, in which, the details of the earlier litigation as well as orders passed by this Court have been mentioned.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied at this stage, in case, respondent No.4 is directed to consider the representation/legal notice dated 11.02.2021 (Annexure P-18) in accordance with law and to pass a speaking order on the same within a period of one month from the date of receipt of certified copy of the present order.

Learned counsel for the petitioner has further submitted that after considering the said legal notice, if respondent No.4 is of the view that appropriate action be taken, the same be also taken as expeditiously as possible.

On the other hand, learned counsel for the respondents have submitted that they have no objection to the said course of action.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.4 to consider representation/legal notice dated 11.02.2021 (Annexure P-18) and to pass a speaking order on the same within a period of one month from the date of receipt of certified copy of the present order.

In case, respondent No.4 is of the opinion that pleas raised by the petitioner call for taking action then appropriate action in accordance with law be taken as expeditiously as possible.

02.02.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No