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

CWP-6163-1987

Date of decision: 25.07.2023

NIDHAN SINGH (DECEASED) THROUGH HIS LRs

...Petitioners

Versus

THE JOINT DIRECTOR (PANCHAYATS) PB. & ORS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Rajinder Goel, Advocate with
Ms. Apoorva Arya, Advocate for the petitioners.

Ms. Monika Jalota, Sr. DAG, Punjab

Mr. Rajinder Kumar Singla, Advocate
for respondent No.3.

SURESHWAR THAKUR, J. (ORAL)

1. The learned counsels appearing for the contesting litigants are *ad idem* that though through the order appended as Annexure P-4, thus not only appeal No.1 of 1984 became decided, but also appeal No.2 of 1984, besides appeal No.3 of 1984 also became decided by the Joint Director, Panchayat, Punjab, exercising the powers of Commissioner.

2. They are further *ad idem* that the appeal No.3 of 1984 was *inter-se* Gram Panchayat Mansa Khurd, Tehsil Mansa, District Bathinda, and Nidhan Singh-the present petitioner.

3. Moreover, the learned counsels are *ad idem*, that though, the present petitioner, did not join the other aggrieved from Annexure P-4, in their instituting CWP-5076-1987 (Annexure R-1), but yet they submit that since the challenge made by the petitioners in the writ petition (*supra*), was but to a common order made even in respect of the present petitioner, upon, appeal No.3 of 1984.

Therefore, the learned counsels argue before this Court, that the benefit of the decision, Annexure R-1, as made on 30.10.2014, upon writ petition (supra), thus is to be granted also to the present petitioner.

4. In consequence, since writ petition (supra), has been allowed by this Court, and, whereby the impugned order thus common to the petitioners therein, and, to the present petitioner rather has been set aside. Consequently also in terms thereof the lis is remanded to the Appellate Authority concerned, thus, to make a fresh decision in accordance with law, upon, statutory appeal concerned. The Appellate Authority is directed, that the said decision shall be made through a valid speaking decision becoming made thereons, and, the said decision shall be definitely made within 6 months from today.

5. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)
JUDGE

25.07.2023

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(KULDEEP TIWARI)
JUDGE

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