

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2822-2023

Date of decision : 13.02.2023

Chanan Singh and others

... Petitioners

Versus

The Special Secretary Revenue and Rehabilitation Department Haryana and
another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Dinesh Ghai, Advocate and
Mr.Nikhil Ghai, Advocate
for the petitioners.

Ms.Upasana Dhawan, AAG, Haryana
for respondents no.1 and 2.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition under Article 227 of the Constitution of India for issuance of writ in the nature of mandamus directing respondent no.1 to decide the pending petition / transfer application dated 29.01.2019 (Annexure P-1) within time bound period.

Learned counsel for the petitioners has submitted that the petitioners had filed a transfer application on the executive side with respect to transfer of land measuring 36 bighas 15 biswas comprised in khewat no.175 min//154 khasra nos.565 min (14-19), 583(4-15), 584(17-1), total kile 3(36-15) and that of 4 bighas -2 biswas comprised in khasra 558 min (5-2) situated in village Khokhran @ Thapal, H.B. No.100, P.O. Nanakpur, Tehsil Kalka, District Panchkula on the basis of their long possession. It is further submitted that said application is maintainable under Rule 8 sub rule

2 of the Haryana Evacuee Properties (Management & Disposal) Rules 2011. It is stated that the said application was received vide diary no.2480 dated 06.02.2019/07.02.2019 but yet no further proceeding has been initiated and no decision has been taken on the said application. Learned counsel for the petitioners has submitted that they would be satisfied in case direction is issued to respondent no.1 to decide the application dated 29.01.2019 as expeditiously as possible, preferably within a period of 5 months from the date of receipt of certified copy of the present order.

Learned State counsel has submitted that every effort would be made to decide the said application as expeditiously as possible, preferably within a period of 5 months from the date of receipt of certified copy of the present order.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.1 to decide the application dated 29.01.2019 (Annexure P-1) as expeditiously as possible, preferably within a period of 5 months from the date of receipt of certified copy of the present order.

It would be relevant to note that this Court has not given any opinion on the merits of the case and respondent no.1 would decide the same independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 13, 2023

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No