

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(127)

CWP-5318-2023

Date of decision: - 16.03.2023

Charan Dass

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurbir Singh Sidhu, Advocate  
for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab  
for the respondents.

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**VIKAS BAHL, J. (ORAL)**

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ of certiorari for quashing the order dated 12.03.2021 (Annexure P-4) passed by respondent No.2 and order dated 27.07.2022 (Annexure P-8) passed by the Collector, Sub-Division, Barnala.

Learned counsel for the petitioner has submitted that the Collector, Sub-Division, Barnala, vide order dated 27.07.2022 (P-8) has stated that the opinion of the Naib Tehsildar, which has been given, is administrative/official and not quasi-judicial in nature. Learned counsel for the petitioner has fairly submitted that the first application which was filed by the petitioner was before the SDM, Barnala, whereas, the

application to the quasi-judicial authority would lie before the Naib Tehsildar and has thus, submitted that the petitioner be permitted to withdraw the present writ petition with liberty to file an application before the Naib Tehsildar in accordance with law.

Learned State counsel appearing on behalf of respondents No.1 to 4 has submitted that in case any application is filed before the Naib Tehsildar, then, a decision on the same would be taken in accordance with law.

Keeping in view the above-said facts and circumstances, the present writ petition is dismissed as withdrawn with the liberty to file an application before the Naib Tehsildar in accordance with law.

In case any such application is filed by the petitioner, the Naib Tehsildar is directed to decide the same in accordance with law.

**March 16, 2023**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No