

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5255-2023

Date of decision : 16.03.2023

Ramesh Chand

... Petitioner

Versus

Commissioner and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Sudhir Aggarwal, Advocate
for the petitioner.

Ms.Upasana Dhawan, AAG, Haryana
for respondents no.1 to 3.

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 certiorari for setting aside the order dated 30.08.2022 (Anneuxre P-2) passed by the Assistant Collector Ist Grade, Hodal, order dated 06.01.2023 (Annexure P-3) passed by the Collector Palwal and order dated 31.01.2023 (Annexure P-4) passed by the Assistant Collector Ist Grade, Hodal.

Learned counsel for the petitioner has submitted that against the impugned order, a revision petition was prepared and since 20.02.2023 the petitioner has been approaching respondent no.1-Commissioner regularly as the petitioner wanted to make a request to the Commissioner to take up the matter urgently but as the Commissioner was not holding Court, thus, the petitioner did not choose to file the same and has filed the present

petitioner would file the revision petition by 20.03.2023 and has prayed that Registry of respondent no.1 be directed to put up the matter for hearing uptill 24.03.2023 and respondent no.1 be directed to consider the case along with stay application for preliminary hearing on the date when the matter is put up for preliminary hearing.

Learned State counsel has submitted that in case a complete revision petition is filed by the petitioner, then, every endeavour would be made by Registry of respondent no.1 as well as by the Commissioner to take up the case for preliminary hearing till 24.03.2023 and to pass an appropriate order on the stay application.

Keeping in view the above said facts and circumstances, the present petition is disposed of in the following terms:-

- i) The petitioner would file revision petition before Registry of respondent no.1 complete in all respects before 12:00 noon on 20.03.2023.
- ii) Registry of respondent no.1-Commissioner is directed to put up the matter on any date uptill 24.03.2023 in case the revision petition is filed complete in all respect.
- iii) Respondent no.1 is directed to consider the revision petition along with stay application for preliminary hearing on the date when the same is put up by Registry before respondent no.1 and to pass an appropriate orders on the stay application within a period of three days from the date when the matter is taken up for preliminary hearing.

It is made clear that this Court has not opined on the merits of the case and respondent no.1 would consider the prayer for stay as well as

revision petition for preliminary hearing independently, in accordance with law.

(VIKAS BAHL)
JUDGE

March 16, 2023
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No