

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(101)

CWP-16438-2003

Date of decision: - 02.05.2023

Phagga Singh

....Petitioner

Versus

The Financial Commissioner, Revenue, Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Surinder Singh Siao, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab
for respondents No.1 to 5.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of certiorari quashing the orders dated 22.10.2002 (Annexure P-9) passed by the Financial Commissioner, Revenue, Punjab as well as for quashing of other orders.

2. On 20.10.2003, Hon'ble Division Bench of this Court was pleased to pass the following order: -

“Learned counsel says that the controversy involved in the present case is the same as is involved in Regular Second Appeal bearing No.1468 of 1987.

In view of the statement made by learned counsel, this petition is adjourned sine die with a liberty to apply as and when the Regular Second Appeal aforesaid is decided.

(V. K. BALI)
JUDGE

October 20, 2003

(SATISH KUMAR MITTAL)
JUDGE”

3. The RSA filed by the present petitioner was dismissed in default on 21.01.2019. The relevant portion of the said order is reproduced hereinbelow: -

“CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- None.

AMIT RAWAL J. (Oral)

This Court, on 16.5.2018 passed the following order:-

“On request of learned counsel appearing for the respondent, adjourned to

As per office report, letter issued to the counsel for the appellant has been received back duly served.

Today, there is no representation on behalf of the appellant.

Dismissed for non-prosecution.

(AMIT RAWAL)
JUDGE

January 21, 2019”

4. Learned counsel for the petitioner has submitted that the petitioner was not the counsel in the said RSA and inspite of best efforts, he is not able to get in touch with the present petitioner till date.

5. Keeping in view the above-said facts and circumstances, apparently nothing survives in the present writ petition, more so, in view of the fact that the RSA has already been dismissed in default and thus, accordingly the present writ petition is disposed as having been rendered infructuous.

6. Liberty is granted to the petitioner to move an application for restoration of the present petition or to file a fresh petition in case any cause survives.

May 02, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No