

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(109)

CWP-7786-2023 (O&M)

Date of decision: - 25.04.2023

Nirbhay Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Prateek Rathee, Advocate,
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana
for respondents No.1 to 4.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus seeking directions to the respondents No.2 to 4 to complete all the formalities including causing of entry in the name of the petitioner in the revenue records and for direction to respondents No.2 to 4 to accept the complete auction amount.

2. On 17.04.2023, this Court was pleased to pass the following order: -

“Learned State counsel, on instructions from Madan, Tehsildar, Meham, District Rohtak, has submitted that in the present case, the auction was subject to the approval of the competent authority and the competent authority has not given any approval and the petitioner had even moved an application for withdrawal of the part-sale consideration amount alongwith interest and on the said

basis, the amount has been refunded to the petitioner and the petitioner has even acknowledged the same and thus is estopped from filing the present writ petition. It is further submitted that the said facts have not been mentioned in the present writ petition.

A perusal of page 58 would also show that there is an issue regarding the fair price with respect to the property in question.

Learned counsel for the petitioner prays for an adjournment to get instructions in the matter.

Adjourned to 25.04.2023.

(VIKAS BAHL)
JUDGE

April 17, 2023”

3. Learned counsel for the petitioner seeks to withdraw the present writ petition with liberty to file a fresh petition after giving full and better particulars.

4. In view of the above statement of learned counsel for the petitioner, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

5. Pending application, if any, stands disposed of in view of the above.

(VIKAS BAHL)
JUDGE

April 25, 2023
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Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No