

CWP-7260-2023,
CWP-7271-2023 and
CWP-7273-2023

2023:PHHC:050268

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

120

CWP-7260-2023
Date of decision : 12.04.2023

Devender Singh and another

...Petitioners

Versus

Financial Commissioner, Haryana and others

...Respondents

121

CWP-7271-2023
Date of decision : 12.04.2023

Devender Singh and another

...Petitioners

Versus

Financial Commissioner, Haryana and others

...Respondents

122

CWP-7273-2023
Date of decision : 12.04.2023

Devender Singh and another

...Petitioners

Versus

Financial Commissioner, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. P.R. Yadav, Advocate for the petitioners.
(In all cases)

Ms. Upasana Dhawan, AAG, Haryana
for respondent Nos.1 to 5 (In all cases)

VIKAS BAHL, J. (ORAL)

By this common order, three writ petitions bearing No.CWP Nos.7260, 7271 and 7273 of 2023 shall stand disposed of.

All the three writ petitions have been filed by the same set of the petitioners and the prayer in these Civil Writ Petitions is for issuance of directions to respondent No.1 to decide the stay application dated 29.01.2023 (Annexure P-4) filed by the petitioners along with application for recalling of ex parte order dated 08.12.2022 (Annexure P-1). These writ petitions have been filed since, by virtue of order dated 08.12.2022 (Annexure P-1), three RORs bearing Nos.ROR No.57 of 2012-13, ROR No.58 of 2012-13 and ROR No.59 of 2012-13 were decided by the Financial Commissioner.

Learned counsel for the petitioners has submitted that the petitioners had moved an application for recalling along with application for stay on 30.01.2023 and in spite of six dates, same have not been taken up for preliminary hearing and the next date is now fixed for 17.04.2023 and has prayed that respondent No.1 be directed to consider recalling application along with stay application for preliminary hearing expeditiously within a specific time frame.

On the other hand, learned State Counsel on instructions from Tek Chand, Clerk, FCR Office, has submitted that every endeavour would be made by respondent No.1 to consider the three applications i.e., the recalling along with stay applications for preliminary hearing expeditiously and in any case within a period of two weeks from today.

CWP-7260-2023,
CWP-7271-2023 and
CWP-7273-2023

2023:PHHC:050268

-3-

Keeping in view the abovesaid facts and circumstances, all the three writ petitions are disposed of with directions to respondent No.1 to take up the three applications filed by the petitioners for recalling of order dated 08.12.2022 along with stay applications for preliminary hearing within a period of two weeks from today and to pass appropriate orders on the same.

It is made clear that this Court has not opined on the merits of the case and respondent No.1 would consider the applications for recalling as well as stay applications independently, in accordance with law.

12.04.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No