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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : April 19, 2023

BHAGAT SINGH

-Petitioner

V/S

STATE OF HARYANA AND ORS.

-Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Nikhil Chopra, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

SURESHWAR THAKUR, J.(ORAL)

1. The present petitioner is aggrieved from the making of Annexure P-12, whereby the authority concerned, declined the relief, on the petitioner's application, for begetting the change of land user. However, today it is fairly stated at the bar, by the learned State counsel, on instructions imparted to him, by the official concerned, that the impugned order, as carried in Annexure P-12, was drawn by the authority, which did not, under the relevant rules, and, statute, rather hold the jurisdictional competence to make any order thereon.

2. The learned State counsel further submits, that the jurisdictional competence to make a valid order, upon the apposite application of the present petitioner, is vested in the Director, Department of Urban Local Bodies, Haryana. Since the impugned order is drawn by an authority, which has no jurisdiction to make any valid order thereon, thus the impugned order, as carried in Annexure P-12, is quashed and set aside. However, the petitioner is permitted to make an application, before the Director, Department of Urban

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Local Bodies, Haryana, within a week from today, and, on such an application being preferred, the authority (supra), shall make a speaking decision thereon, but within 4 weeks thereafter, but after affording the fullest opportunity of hearing to the present petitioner.

3. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

April 19, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable	:	Yes/No