

247 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2681-2019

Date of decision: 01.08.2023

SATYARANI RAMPAL TRUST THR ITS MANAGING TRUSTEE

...Petitioner

V/s

NATIONAL HANDICAPPED WELFARE COUNCIL (NHWC)
(REGD.) THR ITS AUTHORIZED REPRESENTATIVE

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Akshay Jindal, Advocate
for the petitioner.

Mr. Ashok Gupta, Advocate
for the respondent.

HARKESH MANUJA J. (ORAL)

By way of present revision petition, challenge has been made to an order dated 21.02.2019 passed by the learned Collector-cum-Sub Divisional Magistrate, Panchkula, vide which, proceedings arising out of petition under Sections 4 and 5 of Public Premises and Land (Eviction and Rent Recovery) Act, 1972, (hereinafter referred to as 'the Act') initiated on an application filed at the instance of respondent seeking additional evidence stands allowed.

2. I have heard the learned counsel for the parties and have gone through the paper book. A perusal of the impugned order dated 21.02.2019 shows that the same has been passed without affording any opportunity to the petitioner herein besides, the same being non-speaking and unreasoned.

3. In view thereof, the order dated 21.02.2019 is hereby set aside with a direction to the learned Collector-cum-Sub Divisional Magistrate, Panchkula, to decide the application filed by the respondent, seeking additional evidence, afresh upon grant of opportunity of hearing to the petitioner herein by passing a speaking and well reasoned order.

4. Present petition stands disposed of in the aforesaid terms and the parties are directed to appear before the learned Collector-cum-SDM, Panchkula on 14.08.2023, positively.

01.08.2023
manisha

(HARKESH MANUJA)
JUDGE

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