

CWP-10353-2023

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2023:PHHC:068970

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-10353-2023

Date of decision : 12.05.2023

Juglal

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ashok Giri, Advocate
for the petitioner.

Ms.Rajni Gupta, Addl.A.G. Haryana
for respondents no.1 to 5.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing prescribed authority Dabwali-respondent no.5 to decide surplus area case which was remanded by the Commissioner, Hisar Division, Hisar-respondent no.3 on 05.03.2021 expeditiously and in a time bound manner.

2. Learned counsel for the petitioner has submitted that in the present case vide order dated 05.03.2021, the Commissioner, Hisar Division, Hisar, had remanded the matter to the prescribed authority Dabwali to decide the same afresh but inspite of a lapse of more than 2 years, no date has been given by the prescribed authority, Dabwali. It is submitted that the order dated 05.03.2021 has attained finality and the petitioner has not received any notice of any petition challenging the order

dated 05.03.2021.

- 3.Learned State counsel has submitted that in case the order dated 05.03.2021 has attained finality and there is no stay operating, then respondent no.5 would decide the case after remand as expeditiously as possible preferably within a period of 7 months from the date of receipt of certified copy of the present order.
- 4.Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the prescribed authority, Dabwali to decide the case after remand order dated 05.03.2021 as expeditiously as possible, preferably within a period of 7 months from the date of receipt of certified copy of the present order.
- 5.The present order would not operate in case there is any stay granted by a court of law in which the order dated 05.03.2021 has been challenged.
- 6.Since in the present case, no date has been given, thus, the petitioner would appear before the prescribed authority on 22.05.2023 and apprise the said authority of the order passed by this Court and the prescribed authority would thereafter issue notice to the contesting respondents.

(VIKAS BAHL)
JUDGE

May 12, 2023
Davinder Kumar

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