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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.13857 of 2022 (O&M)
Date of Decision : 16.08.2023

Manmohan Singh Bajwa

..... Petitioner

Versus

Punjab Waqf Board and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashish Aggarwal, Senior Advocate with
Mr. Mukul Aggarwal, Advocate and
Mr. Vishal Pundir, Advocate
for the petitioner.

Mr. Ghulam Nabi Malik, Advocate
for respondents No.1 and 2.

Mr. Arvind Bansal, Advocate
for respondents No.3 to 5.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of mandamus directing official respondents No.1 and 2 to adjust/set off the lease money paid by the petitioner by renewing the lease of the land in question in favour of the petitioner as previously the physical possession of the same was never handed over to the petitioner.

Learned senior counsel for the petitioner at the outset has submitted that during the pendency of this petition, this Court had appointed a Local Commissioner, who has submitted his report dated 26.10.2022. He submits that in view of the same, the petitioner be allowed to withdraw this petition with liberty to file a representation before

respondent No.1, who would decide the same for refund of his lease amount in the light of Local Commissioner/Tehsildar's report.

Learned counsel for respondents No.1 and 2 has pleaded no objection regarding the withdrawal of this petition. However, he has opposed the submissions regarding the findings of Local Commissioner. However, he fairly submits that if any representation is filed by the petitioner, the same would be decided keeping in view the overall facts and circumstances of the case and in accordance with law within a period of four weeks.

In view of the same, the present petition is allowed to withdraw with liberty to the petitioner to file appropriate representation before respondent No.1 within two weeks from today. In case any such representation is filed by the petitioner within two weeks from today, then respondent No.1 is directed to decide the same in accordance with law within a period of four weeks thereafter.

(RAJESH BHARDWAJ)
JUDGE

16.08.2023

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