

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

225

CWP-20634-2019

Date of Decision: 01.09.2023

Siri Bhagwan

.....Petitioner

Versus

Municipal Committee, Safidon, Jind and othersRespondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**Present:** None for the petitioner.

Mr. Pritam Singh Saini, Advocate for respondent No. 1.

Mr. Harish Mehla, Advocate for

Mr. Athar Ahmad, Advocate for respondent No. 2.

Mr. Rajneesh Chadwal, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in this petition is for quashing the order dated 22.01.2019 passed by Ld. Commissioner, Hisar Division, Hisar and for directing the respondent No. 1 to execute a conveyance deed in favour of the petitioner in respect of shop No. 98, Old Grain Market, Safidon.

2. Written Statement filed on behalf of respondent No. 2 by way of affidavit of Estate Officer, Haryana Waqf Board, Jind, is taken on record.

3. It has been pointed out by the learned counsel for the respondent No. 1 that it appears that inadvertently the petitioner has not impleaded the Divisional Commissioner, Hisar who is the necessary party as the order impugned herein is passed by the Ld. Divisional Commissioner,

Hisar. In view of the submissions made Divisional Commissioner, Hisar is impleaded as respondent No. 4 in this case. Registry is directed to carry out the necessary corrections in the memo of parties.

4. Learned counsel for respondents No. 1 and 2 have submitted before this Court that the impugned order has been passed without taking into consideration the delay part. He submits that on account of the same, the impugned order suffers from illegality and thus the respondent-authority is required to pass order afresh. Ld. Counsel for respondent No. 2 and the State counsel have not controverted this actual position. In view of the submissions made, the present writ petition is allowed and the impugned order is set aside. Divisional Commissioner, Hisar is directed to pass the order afresh.

(RAJESH BHARDWAJ)
JUDGE

01.09.2023

Rajeev (rvs)

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No