

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-17356-2021(O&M)
Date of decision : 11.01.2023

Harpal Singh and another

... Petitioners

Versus

The Special Secretary (Rehabilitation)-cum-Settlement Commissioner,
Haryana and another

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Nikhil Ghai, Advocate and
Mr.Dinesh Ghai, Advocate
for the petitioners.

Ms.Upasana Dhawan, AAG, Haryana.

VIKAS BAHL, J.(ORAL)

CM-95-CWP-2023

This is an application under Section 151 CPC for preponing the
date of hearing from 27.02.2023 to some earlier actual date of hearing.

Notice in the application.

Learned State counsel has submitted that she has no objection
in case the present application is allowed.

In view of the averments made in the application and no
objection given by the learned State counsel, the present application is
allowed and the main petition is preponed from 27.02.2023 to today itself
for hearing.

CWP-17356-2021

This is a civil writ petition under Article 227 of the

Constitution of India for issuance of a writ in the nature of mandamus directing respondent no.1 to decide the pending State reference no.44/Reference/CSC/98 titled as “State vs. S/Shri Jaswant Ram & Others” as has been initiated by respondent no.2 under Section 24 of the Displaced Persons (Compensation & Rehabilitation Act), 1954 within a time bound manner.

Learned counsel for the petitioners has submitted that the reference in the present case has been pending since 1998 and service had been completed and arguments were addressed and even written submissions had been submitted and has, thus, prayed that respondent no.1 be directed to decide the same in a time bound manner.

Learned State counsel, on instructions from Mr.Chitar Pal, Reader, Court of Chief Settlement Commissioner, Haryana, has stated that the Chief Election Commissioner has appointed Mr. Rajiv Ranjan as Chief Settlement Commissioner and he is likely to join on 27.01.2023 and has further submitted that in case the service is complete and is fixed for arguments then the same would be decided as expeditiously as possible preferably, within a period of three months from the date of receipt of the certified copy of the order. Learned State counsel has further pointed out that since a new incumbent has taken over, thus, in all likelihood the matter will have to be reargued before the new incumbent.

Learned counsel for the petitioners has submitted that they would reargue the matter in case it is so required and would give full assistance to the new incumbent during adjudication of the case within the time frame as will be directed by this Court.

Keeping in view the above said facts and circumstances, the

present petition is disposed with a direction to the competent authority to decide the said reference no.44/Reference/CSC/98 titled as “State vs. S/Shri Jaswant Ram & Others” as expeditiously as possible preferably within a period of three months from the date of receipt of the certified copy of the present order.

Pending miscellaneous application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

January 11, 2023
Davinder Kumar

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