

In the High Court of Punjab and Haryana at Chandigarh

(118)

**CWP No. 13795 of 2023
Date of Decision: 12.9.2023**

Sanjay Saini and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Ajaivir Singh, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Shivendra Swaroop, DAG, Haryana.

Mr. Deepak Sabharwal, Advocate
for respondent No. 3.

SURESHWAR THAKUR, J. (ORAL)

1. Notice of motion.
2. Mr. Ankur Mittal, Addl. A.G., Haryana, waives service on behalf of respondents No. 1 and 2-State.
3. Mr. Deepak Sabharwal, Advocate waives service on behalf of respondent No. 3.
4. The learned counsel appearing on behalf of respondent No. 3 submits, that though this Court in para 3 of the verdict drawn on 29.8.2016, upon CWP No. 14189 of 2014, para whereof stands extracted hereinafter, had made directions upon the respondent concerned, to assign a personal hearing to the petitioner or to his representative, thus before proceeding to decide the writ claim, yet he fairly submits, that the authority concerned, has not made a speaking order on the writ claim.

“Having regard to the above-reproduced agreed order, the instant writ petitions are also disposed of in same terms. Since

the authorities are said to have earlier turned down the claim of the petitioners for the release of existing constructions on different pleas, it is directed that direction (ii) reproduced above, shall be complied with independently without adverting to the reasons which were earlier assigned by the authorities for rejecting the claim of petitioners. It is further directed that the petitioners shall be heard in person or in a representative capacity before deciding their claim in terms of the above-reproduced directions.”

5. This Court appreciates the candid, and, forthright submission, as addressed before this Court, by the learned counsel for respondent No. 3. Therefore, as further submitted by him, respondent No. 3 is directed to within two weeks from today, pass a lawful, and, speaking order in respect of the writ claim, which is subjudice before co-respondent No. 3.

6. In the above regard, since the personal participation of the present petitioners or through their authorized representative, thus before co-respondent No. 3, thus is required to be made, for thereby compliance becoming made with the above extracted directions, as made by this Court. Therefore, the petitioners are directed to make their personal appearance, before co-respondent No. 3 on 15.9.2023 at 10.00 A.M.

7. The petition stands disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

September 12, 2023
Gurpreet

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