

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No. 209

CWP-17742-2022

Date of Decision:-27.07.2023

SHASHI GUPTA

... Petitioner

Versus

STATE OF HARYANA & OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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Present:- Mr. Yogesh Putney, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Haryana.

VIKAS BAHL, J. (Oral)

1. This is a Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for declaration to the effect that the transfer of residential House No.115, Sector 9, Urban Estate, Panchkula measuring 420 Sq. Meters vide transfer deed dated 28.02.2019 is illegal and against law.

2. Learned counsel for the petitioner has submitted that the present petitioner has filed an application dated 27.09.2021 (Annexure P-1) before the Maintenance Tribunal, Panchkula, as constituted under the Maintenance and Welfare of Senior Citizens Act, 2007 but since one of the members of the Maintenance Tribunal had resigned and a new member has not been appointed, therefore, the case is constantly being adjourned and the said application of the petitioner has not been adjudicated upon till date.

3. Learned State counsel has filed a reply in the present case and the same is taken on record. A copy thereof has been given to learned counsel for the petitioner.

4. It is stated by the learned State counsel that after the resignation of the first person, two persons were appointed but both of them also resigned subsequently and thereafter on 18.05.2023, Dr. Aruna Kumari has been nominated as the new non-official member and she is likely to join the Tribunal in the first week of August. It is further submitted that in view of the above, the present petition has been rendered infructuous.

5. Keeping in view the facts and circumstances more so, the fact that the third member has already been nominated and the Constitution of the Tribunal is complete, the present petition is disposed of as having been rendered infructuous.

6. Since the case of the petitioner is pending since 2021, thus the Tribunal is directed to decide the case as expeditiously as possible.

27.07.2023

naresh.k/yogesh

(VIKAS BAHL)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No