

123

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.16988 of 2023
Date of decision : 07.08.2023

Nirbhay Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Prateek Rathee, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has approached this Court praying for issuance of a writ in the nature of mandamus directing respondents No.2 to 4 to complete all the formalities including causing of entry in the name of petitioner in the revenue records being the successful bidder of the auction held on 10.01.2022 with regard to property located at Muradpur Tekna, Meham, Rohtak-Haryana bearing Khewat No.2 and 4 having sale deed number 1662 & 1663 measuring 66 kanal and 10 marla.

Learned counsel for the petitioner submits that petitioner is the successful bidder in an auction of property, however, the same was not confirmed. He submits that for the redressal of his grievance, the petitioner has already filed representation dated 30.01.2023 (Annexure P-18) before respondents No.2 to 4, however, the same has not been decided till date. He further submits that he will be satisfied if a direction is issued to respondents No.2 to 4 to decide the same in a time bound manner.

Notice of motion.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of the respondents-State. She, on instructions has submitted that petitioner has not approached this Court with clean hands. She submits that earlier the petitioner had approached this Court by way of filing CWP No.7786 of 2023, however, the same was withdrawn with liberty to file a fresh one. As per the instructions provided, she submits that the petitioner has already withdrawn 25% amount deposited by him and thus, as on date, he has no *locus standi to file* this petition. She has further submitted that re-auction was also conducted and the petitioner challenged the same before the NCLT and the same is pending.

Learned counsel for the petitioner controverts the submissions made by learned State counsel.

Without commenting into the merits of the case, it is apparent that representation filed by the petitioner is pending before the Divisional Commissioner for consideration but the same has not been decided till date.

In view of the same, the present petition stands disposed of with a direction to respondent No.3-Deputy Commissioner-cum-Deputy Collector, Rohtak to look into the representation dated 30.01.2023 (Annexure P-18) filed by the petitioner and decide the same in accordance with law within a period of four weeks from today.

07.08.2023
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(RAJESH BHARDWAJ)
JUDGE

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