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

CWP-18612-2023

Date of Decision: August 24, 2023

Ved Parkash and others
Versus
State of Punjab and others

.....Petitioners

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Kulbhushan Raheja, Advocate
for the petitioners.

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RAJESH BHARDWAJ, J.(ORAL)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of certiorari for setting aside the order dated 02.08.2023, Annexure P-10, vide which respondent No.2 has ordered a fresh inquiry despite the judgment of Civil and Criminal Courts more than once. Further prayer has been made to direct the respondents to stop the inquiries.

It has been contended by counsel for the petitioners that petitioners are the purchasers of *Nazool* land. He submits that after having purchased the land, petitioners were summoned in the enquiry proceedings on the premise that land has been purchased by them fraudulently. He submits that on account of the same, petitioners filed a civil suit, which was decreed by the Civil Court vide order dated 15.06.2010, Annexure P-1. He further submits that the appeal filed by the State was dismissed by learned Additional District Judge, Ferozepur, vide order dated 16.09.2017. He submits that thereafter the State did not further challenge the dismissal order

passed by learned Additional District Judge in the appeal. He submits that once the Civil Court has already given a finding in favour of the petitioners, allegations against the petitioners regarding committing of any fraud, are not even sustainable. He submits that despite that petitioners are being proceeded with the enquiry and time and again being summoned. It is submitted that the petitioners were prosecuted in a criminal trial as well in which they were acquitted and the appeal filed by the prosecution was dismissed. He has submitted that for redressal of their grievances, the petitioners filed a representation, Annexure P-11, to the Chief Secretary, however, no action has been taken on the same.

Notice of motion to official respondents only at this stage.

On asking of the Court, Ms.Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

After hearing counsel for the parties and going through the facts and circumstances of the case, the present petition is disposed of. Petitioners are directed to file a representation before respondent No.2, i.e. Chief Secretary, within a period of ten days from today and the if the same is filed within the stipulated time, respondent No.2, i.e. the Chief Secretary would be at liberty to decide the same itself or by the Authority chosen by it within four weeks from the date of receipt of representation.

August 24, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |