

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

CWP-22897-2023

Date of decision : 10.10.2023

Mahender

.....Petitioner

versus

Financial Commissioner and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Onkar Rai, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned order dated 27.04.2019/30.03.2021 (Annexure P-1) passed by Assistant Collector 2nd Grade, Tigaon, District Faridabad and impugned order dated 21.12.2022 (Annexure P-2) passed by learned Collector-cum-SDM, Fariadbad and also quashing of Sanad Takseem dated 02.05.2023 (Annexure P-5) of Assistant Collector 2nd Grade, Tigaon and also entire proceedings arising thereto as same are illegal and arbitrary and against the mode of partition. Further prayer has been made for directing respondent No.1 to decide the ROR No.311 of 2023 and stay application dated 09.03.2023 (Annexures P-3 and P-4) which is pending for the last 06 months and now posted for 01.02.2024 and on the other hand, respondents No.3 to 7 are trying to take possession of land after issuance of Sanad Takseem dated 02.05.2023.

It has been contended by counsel for the petitioner that the petitioner has already filed ROR along with the stay application against the impugned order. It is submitted that despite having been filed the case has not been taken up for hearing till date and thus, there would be irreparable loss caused to the petitioner.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, AAG, Haryana accepts notice on behalf of the respondent-State. Mr. Yash Kumar, Advocate accepts notice on behalf of respondent No.1.

Learned State counsel, on instructions, has submitted that the case would be heard along with stay application on 12.10.2023.

Heard. The present petition is disposed of with direction to respondent No.1 to take up the appeal along with stay application on the date fixed before it i.e. 12.10.2023 and hear the parties on the stay application and decide the same expeditiously in accordance with law.

10.10.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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