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

CWP-766-2023

Date of decision : 19.01.2023

Raminder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Impinder Singh Dhaliwal, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.3 to consider and pass appropriate orders on the application (Annexure P-1) moved by the petitioner for conducting fresh munadi for the post of Lambardar being competent authority under the Punjab Land Revenue Act, 1881 in view of the fact that respondent Nos.4 to 6 have already recommended fresh proclamation as earlier proclamation had been conducted in a secret manner.

On 16.01.2023, this Court had passed the following order:-

“Learned counsel for the petitioner has submitted that in spite of the reports of the Patwari, Naib Tehsildar and SDM to the effect that proclamation has not been properly effected and although, proper proclamation is yet to be effected, the Collector is proceeding in the matter.

Learned State counsel is directed to get instructions in the matter.

Adjourned to 19.01.2023.

To be taken up after the urgent list.”

Learned State Counsel, on instructions from Rajesh Dhiman, Deputy Commissioner-cum-Collector, Ferozepur, has submitted that in case, the petitioner files an application supported by an affidavit and also annex the said report then, the Collector would take a decision on the same within a period of two weeks from the date of submission of the said application along with affidavit.

Learned counsel for the petitioner has submitted that the petitioner would be satisfied in case the abovesaid course of action as stated by learned State Counsel is taken.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with the following directions:-

- 1) The petitioner would submit an application alongwith his affidavit annexing the relevant reports stating that the proclamation has not been properly effected, within a period of 10 days from today.
- 2) The petitioner would submit said application before respondent No.3- Deputy Commissioner, Ferozepur and respondent No.3 would consider the same as expeditiously as possible, preferably within a period of 2 weeks from the date of receipt of application, in accordance with law.

It would be relevant to note that this Court has not opined on the merits of the case and it would be open to respondent No.3 to consider the application, independently, in accordance with law.

19.01.2023

Pawan

**(VIKAS BAHL)
JUDGE**

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