

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-498-2024
Date of decision: 11.01.2024

Pardeep KumarPetitioner

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Varun Mittal, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

Learned counsel for the petitioner submits that against the order dated 30.06.2023 (P-1), vide which the site allotted to the petitioner has since been resumed, as also the communication dated 04.08.2023 (P-2), he has already preferred an appeal under Rule 13(8) of the Punjab Town Improvement (Utilization of Land and Allotment of Plots) Rules, 1983. He further submits that the limited grievance that the petitioner has is: even though he had filed the appeal, along with an application for interim stay, on 25.08.2023, but to date, the matter has not made any tangible progress, as no orders are passed by the Appellate Authority. He has drawn our attention to the communication dated 22.11.2023 (P-15), addressed to the Improvement Trust, Barnala, whereby the Appellate Authority had sought certain information to proceed with the matter, but despite repeated communications, the information sought for was not furnished by the Trust. On the contrary, he submits that the site in question had been put to auction in December, 2023. It is urged that neither the statutory appeal preferred by the petitioner is being adjudicated, nor any interim orders, as prayed for, are being passed. And, thus interest of the petitioner is being severely impacted.

Served with the advance copy of the petition, Mr. V.G. Jauhar, learned Additional Advocate General, Punjab, is present in Court. On instructions from Sandeep Kumar, Senior Assistant, he submits that the appeal preferred by the petitioner shall be considered and decided within a period of four weeks from today, after affording a due opportunity of hearing to him. Further, he submits that till the said appeal is decided, even though the allotted site has been auctioned in favour of one Amit, the proceedings in this regard shall not be finalized.

That being so, learned counsel for the petitioner submits that nothing substantive survives in this petition and the same be disposed of, in terms of the statement made by learned State counsel.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the Appellate Authority shall decide the appeal of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

11.01.2024
Ak Sharma

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