

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

CWP-5795-2021 (O&M)

Date of decision : 31.01.2024

Ramesh

.....Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Sushil Jain, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, A.A.G., Haryana.

Mr. Ashish Aggarwal, Sr. Advocate with
Mr. Vishal Pundir, Advocate
for respondents No.5 to 7.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of writ in the nature of certiorari for quashing the impugned orders dated 10.12.2020 (Annexure P-17) passed by respondent No.1 i.e. Financial Commissioner, Haryana, Order dated 25.07.2019 (Annexure P-15) passed by respondent No.2- Commissioner Karnal Division, Order dated 30.08.2018 (Annexure P-14) passed by Respondent No.3 i.e. District Collector, Karnal and Order dated 23.11.2017 (Annexure P-11) passed by the Assistant Collector 2nd Grade, Gharaunda whereby the respondent No.1 had affirmed the orders passed by the Courts below and dismissed the Revision petition of the petitioner by passing an order which is illegal, arbitrary and the same is liable to be quashed.

Learned Senior counsel for respondents No.5 to 7 has submitted that during the pendency of the present writ petition, the Sanad Taksim had been issued which has not been challenged by the petitioner so far. He submits that once the order has been passed by the Financial Commissioner, all interim orders are merged in the same and thus, the remedy available to the petitioner, lies before the Financial Commissioner for challenging the Sanad Taksim.

Learned counsel for the petitioner has candidly submitted before this Court that he would avail his remedies, however, there would be an issue of delay in the present case. In view of the facts and circumstances of the case, the present petition is allowed to be withdrawn with liberty to the petitioner to avail his remedies before the Financial Commissioner as available under law. It is being clarified that in case of the issue involving the delay, the authority would take into consideration the period of the pendency of his petition before this Court and then proceed accordingly as in accordance with law.

31.01.2024

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(RAJESH BHARDWAJ)
JUDGE

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