

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CWP-18232-1999 (O&M)
Date of decision: 13.03.2024

JOGINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB ETC.

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

Challenge in the present writ petition is to the order dated 18.03.1999 passed by the Director, Food & Supplies, Punjab, Chandigarh under Punjab Control of Bricks Supplies, Price and Distribution Control Order, 1998.

Vide the said order, an appeal was preferred by the Kulbir Singh Paramjotvir Singh, Brick-kiln owners, Samipur, District Jalandhar against the order dated 12.02.1999 passed by the District Food Supplies Controller, Jalandhar had been allowed and the order of cancellation of license of brick kiln against the respondent No.4-the appellant therein was restored. The complainant filed the present writ petition alleging that the land where the brick kiln had been installed was in the name of the complainant. The owner of the brick kiln on the other hand adduced documents to substantiate that the said brick kiln

had been operating from the said premises for more than last thirty years and the license was originally in the name of his grand father and was thereafter transferred in his name.

It was further submitted that the land in question was in joint possession and he got the same in partition. The copy of the jamabandis and other relevant material was duly placed on record.

It was noticed by the Director, Food & Civil Supplies that the license had been cancelled solely on the complaint given by a co-owner and that the grant of license does not confer any ownership on a person who is operating a brick kiln, with respect to the land. The complainant-petitioner was observed to be at liberty to seek partition of the land before the Revenue Authorities and/or the Courts.

There is no representation on behalf of the petitioner.

It has been informed by the State Counsel that as per the information received by her, the petitioner-complainant has already died. It seems that he would have no surviving interest in the matter. The present writ petition is accordingly dismissed for non-prosecution.

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)

JUDGE

MARCH 13, 2024

Vishal sharma

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No