

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

- 202

(1)

CWP-10516-1996
Date of Decision: 12.03.2024

Rai Singh

Versus

....Petitioner

Joint Development Commissioner, Punjab and others

....Respondents
- (2)

CWP-6831-1996
Date of Decision: 12.03.2024

Kehar Singh

Versus

....Petitioner

Joint Development Commissioner, Punjab and others

....Respondents
- (3)

CWP-6832-1996
Date of Decision: 12.03.2024

Balbir Singh and others

Versus

....Petitioners

Joint Development Commissioner, Punjab and others

....Respondents
- (4)

CWP-8398-1996
Date of Decision: 12.03.2024

Raghbir Singh

Versus

....Petitioner

Joint Development Commissioner, Punjab and others

....Respondents
- (5)

CWP-1383-1997
Date of Decision: 12.03.2024

Mangat Ram @ Mangat Singh and others

Versus

....Petitioners

Joint Development Commissioner, Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Amrindra Pratap Singh, Advocate
for the petitioner(s).

Mr. Maninder Singh, Sr. Deputy Advocate General, Punjab.

Sureshwar Thakur, J. (Oral)

1. Learned counsel appearing for the parties before this Court are *ad idem* that though in CWP-6831-1996, CWP-6831-1996, CWP-6832-1996, CWP-8398-1996 and CWP-1383-1997, the Collector concerned respectively passed Annexures P/2 (in all the writ petitions), but they submit that since the aggrieved therefroms rather instituted separate statutory appeals before the Appellate Authority, but yet the said different statutory appeal(s) became decided through a common verdict becoming made thereons, by the Appellate Authority concerned. The said common verdict(s) all respectively enclosed as Annexures P/2 in all the writ petitions.

2. Therefore, the counsel for the litigants before this Court are further *ad idem* that the said common decision on separate statutory appeals, is an ill informed decision, as the facts, in all the different appeals, are contradistinctive and required separate adjudications being made thereons.

3. Furthermore, they are *ad idem* that after allowing the writ petition this Court may quash verdicts (supra), and thereafter, an order of remand be made to the Appellate Authority concerned, to draw separate decisions on each of the separate appeals.

4. Accepting the above *ad idem* statement made at the bar by the learned counsel concerned before this Court, the writ petitions are allowed and the orders Annexures P/2 in all the writ petitions i.e. CWP-6831-1996, CWP-6831-1996, CWP-6832-1996, CWP-8398-1996 and CWP-1383-1997 are set aside, but with a direction to the Appellate Authority concerned to after restoring the statutory appeals to their respective original numbers, to make fresh separate speaking decisions on each of the separate statutory appeals, but within a period of 03 months from today and after hearing all the affected persons concerned.

5. Disposed of accordingly along with all pending applications, if any.

(SURESHWAR THAKUR)
JUDGE

12.03.2024
Varinder Prashad

(LALIT BATRA)
JUDGE

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