



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

**CWP No.20158 of 2024 (O&M)
Date of Decision :21.08.2024**

Naresh Kumar

.....Petitioner

Versus

State of Punjab and others

..... Respondents

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

**Present : Dr. Rau P.S.Girwar, Advocate;
Ms. Archana Arora, Advocate and
Mr. K.T.Rau, Advocate for the petitioner.**

Mr. Vipin Pal Yadav, Addl.A.G. Punjab.

ARUN PALLI, J. (Oral):

The petitioner (Naresh Kumar) has prayed for the following substantive relief:-

“Issue Writ of Mandamus under Article 226 of Constitution of India for Directions to Respondent No.2 to dispose the pending appeal i.e., Annexure P-9 dated 09.01.2009 filed before the Respondent No.2 against the impugned order dated 05.05.2006 passed by Commissioner Municipal Corporation Bathinda i.e., Respondent no.3 on dated 09.01.2009 within time frame manner, as pending since dated 09.01.2009 without any date/hearing, further issue direction to fix the matter on board and intimate dates of hearing to petitioner to decide the appeal which is pending more than 15 years without any steps and without any date, in the interest of justice.”

Learned counsel for the petitioner submits that aggrieved by the



order dated 05.05.2006, passed by the Commissioner Municipal Corporation Bathinda, the petitioner, preferred an appeal before Principal Secretary, Department of Local Government (respondent No.2) on 09.01.2009. He submits that the limited grievance that the petitioner has is: although a period of 15 years have gone by but the appeal preferred by the petitioner is yet to be heard and decided, thus this petition.

Served with the advance copy of the petition, Mr. Vipin Pal Yadav, Addl.A.G. Punjab, is present in Court for the respondents. At the outset, he submits that if post institution of the appeal on 09.01.2009, it has remained pending for 15 years, there possibly cannot be any justification, least plausible. Be that as it may, he submits that if the said appeal is indeed pending, the same shall be decided by the competent authority without any further loss of time. And, in any case, within a month from today.

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

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

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

21.08.2024
Manoj Bhutani

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