



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-30719-2024

Date of decision: 15.01.2025

Shiv Kumar @ Shiv Kumar Chauhan

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Abhimanu Jangra, Advocate, for
Mr. Prafulla Sharma, Advocate,
for the petitioner.

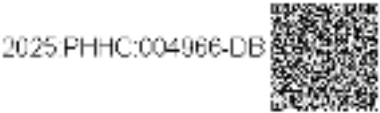
Mr. Hitesh Pandit, Additional Advocate General, Haryana.

Mr. Abhimanyu Singh, Advocate,
for respondents No.14 to 16.

ARUN PALLI, J. (Oral)

On November 14, 2024, a Coordinate Bench had passed the following order:-

“From the perusal of the paperbook, it transpires that CWP-4413-2019 was filed in which interim order dated 01.04.2019 (Annexure P-4) was passed whereby decision was to be taken on the issue raised in the petition within a period of 2 weeks. In sum and substance, the grievance of the petitioner is that his land is being utilized for the purpose of mining but he has not been paid the requisite amount. The said writ petition was disposed of on 18.04.2023 (Annexure P-1) by noting that an order dated 05.08.2019 (Annexure P-5) had been passed, assessing the fair rent to be paid to the petitioner whereby Rs.28,000/- per acre has become payable by the contractor as rent. The order being appealable, the writ petition was disposed of, as such. Thus, it is the case of the present petitioner that he



had represented before the statutory authorities and representation was also given in the CM Window (Annexure P-2).

Mr. Mago, accordingly, prays for time to seek necessary instructions.

List on 03.12.2024.”

Learned Additional Advocate General, Haryana, submits that appeal preferred by the petitioner against the order dated 05.08.2019 was instituted without payment of court fee. Accordingly, the same was not proceeded with and is pending. However, he fairly concedes that even in the given circumstances, the authorities ought to have informed the petitioner to cure the defects, if any. For the appeal (*ibid*) was filed as back as in the month of October, 2023, he deeply regrets the delay that has occurred in the interregnum. It is urged that the competent authority shall take cognizance of the matter forthwith. And, in the event, any procedural defects are required to be cured by the petitioner, he shall be duly intimated, vide a formal communication, at the earliest.

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 the statement made by learned State counsel.

In the wake of the above and in terms of the statements made by learned counsel for the parties, the petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

15.01.2025
Ak Sharma

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