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After hearing learned counsel for the parties and for the reasons mentioned in the application, the same is allowed. The applicants as mentioned in headnote of the application, are ordered to be impleaded as respondents No.10 to 13 in the writ petition.

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1. Present application has been filed for reviewing/modifying the order dated 24.07.2023 passed by this Court in the main writ petition.
2. Learned Senior Counsel for the applicant-respondents No.10 to 13 has submitted that the non-applicant/petitioner had filed writ petition praying for issuance of direction to respondents No.3 and 4 to enquire the matter and take action against the concerned revenue officer and private respondents, who have forged, fabricated and manipulated the revenue record in connivance with each other and thus, this Court vide order dated 24.07.2023 disposed of the petition with direction to the Deputy Commissioner, Ludhiana to decide the representation i.e. Annexure P-3 within a period of one month from the date of the order. He has submitted that regarding the same land, earlier CWP-8608-2012 was filed and Hon'ble Division Bench of this Court vide order dated 08.08.2012 had marked enquiry in the same. He further submits that thereafter, enquiry dated 28.08.2012 was held by DRO, Ludhiana and the same was sent to the Deputy Commissioner, Ludhiana, wherein, it was clarified that there was no encroachment. He submits that in CWP-8608-2012 was decided by Hon'ble Division Bench of this Court vide order dated 04.09.2012. He, thus, submits that it is evident from the record that this Court had already taken cognizance of the grievances raised by the non-applicant/petitioner

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pertaining to the same land, however, he approached this Court without impleading the applicant-respondents No.10 to 13 as the party in the case and thus, the order dated 24.07.2023 was passed by this Court in their absence. He submits that the Deputy Commissioner, Ludhiana passed the order dated 29.04.2024 without taking into consideration the order already passed by Hon'ble Division Bench of this Court and the enquiry was also carried out. He submits that the non-applicant/petitioner clandestinely filed the present writ petition and thereafter, even filed the contempt petition as well. He submits that once applicant-respondents No.10 to 13 were not heard, their right of hearing was defeated. He submits that hence, in the facts and circumstances, the order dated 24.07.2023 passed by this Court be modified by issuing direction to the Deputy Commissioner, Ludhiana to pass the order by taking into consideration the order passed by Hon'ble Division Bench of this Court earlier.

3. Notice in the review application.
4. Mr. Mohd. Yousaf, Advocate, accepts notice on behalf of the non-applicant/petitioner and Mr. Tarun Aggarwal, Addl. A.G., Punjab, accepts notice on behalf of the State.
5. After hearing learned counsel for the parties and perusing the record, it is apparent that applicant-respondents No.10 to 13 were never issued notice by this Court as the same was issued to the official respondents only. Perusal of the order passed by the Deputy Commissioner would show that judicial order passed by Hon'ble Division Bench of this Court as referred by learned Senior Counsel for applicant-respondents No.10 to 13, has not been discussed. Thus, this Court finds that the order

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dated 24.07.2023 deserves to be modified by issuing direction to the Deputy Commissioner, Ludhiana to pass a fresh order by taking into consideration the order as referred above, within a period of one month from today. However, the order dated 29.04.2024 passed by the Deputy Commissioner, Ludhiana would be kept in abeyance till the fresh order is passed by him.

6. The review application filed, is thus, accepted by modifying the order dated 24.07.2023 in above-mentioned terms.

(RAJESH BHARDWAJ)
JUDGE

21.05.2025
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No