

Civil Revision No. 15 of 2019

15.2.2019 Present: Petitioner in person.

Mr. R.K Bawa, Sr. Advocate with Mr. Prashant Kumar Sharma, Advocate, for respondent No.1.

CMP(M) No. 75 of 2019

The learned counsel for respondent No.1 submits that reply to the application is ready and copy whereof has been supplied to the petitioner. The said reply be filed in the Registry during the course of day.

2. Petitioner present in person alongwith his wife and sons and submits that he is not capable to pay the fee of Advocate engaged by him and therefore his Advocate has not turned up today and he intends to have the legal aid and for that purpose he seeks time to approach the appropriate authority. As requested, list on 25.2.2019.

3. It is further submitted by the petitioner that the room occupied by him has been locked by respondent No.1-Wakf Board and his entire family is on road and examination of his children is going to be started from 7th March, 2019 and belongings of his family including books of children are also inside and therefore he may be permitted to continue habitation

in the premises in question at least during the examinations of his children.

4. Learned counsel for respondent-1 submits that the premises has been handed over to wakf board by the Executing agency i.e Court of SDM on 6.1.2019 in execution of impugned order and thereafter the lock was broken by the family of the petitioner leading to lodging of an FIR and now the possession has again been handed over to Wakf Board on 14.2.2019 but petitioner has also put his lock on the premises and at present there are two locks, one is put by family of the petitioner and another by the Wakf Board on the said premises.

5. Mr. Sadiq Mohammad, Estate Officer, H.P Wakf Board is also present in Court. He submits that in case the petitioner and his family members intend to take their articles, he will permit them by opening the door at any reasonable time and for which purpose the petitioner may approach him.

6. As per Registry, there is delay of 4 years 3 months 22 days in assailing the impugned order and present application for condonation of delay is under consideration and has been adjourned for enabling the

petitioner to avail legal aid. Therefore, at this stage, no other order except direction to the concerned Branch i.e Secretary, H.P High Court, Legal Services Committee of this Court to consider the request of petitioner for legal aid, if so made, with utmost promptness at the earliest so as to enable him to have an Advocate before the next date of hearing.

February 15, 2019
(priti)

(Vivek Singh Thakur),
Vacation Judge.