

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP No. 10946 of 2015. [O&M]
Date of Decision: 28th September, 2015.

Gurdial Singh & Ors.

Petitioners through
Mr. APS Rehan, Advocate

Versus

District Development & Panchayat Officer, Gurdaspur & Ors.

Respondents through
Mr. Rajesh Bhardwaj, Addl. AG, Punjab.
Mr. R.K.Garg, Advocate for Respondent No. 3.

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B. BAJANTHRI**

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

SURYA KANT, J. [ORAL]

The instant writ petition has been filed seeking a prohibitory direction against execution of the *ex-parte* eviction order dated 25.02.2015.

Since the petitioners urged that they have already applied for the re-call of *ex-parte* order, this Court vide order dated 26.05.2015 stayed their dispossession for a period of one month within which the application was directed to be decided.

District Development and Panchayat Officer, Gurdaspur before whom the application to re-call the *ex-parte* order was pending, has filed the written statement along with an order dated 03.08.2015 [R-1/T] whereby dispossession of the petitioners has been stayed. It, thus, appears that while the application to re-call *ex-parte* order is yet to be decided on merits, the Collector has, as an interim measure, stayed dispossession of the petitioners. In this view

of the matter, it is not necessity to keep this writ petition pending as the Collector is yet to decide the case on merits.

The writ petition is accordingly disposed of with a direction to the Collector, Gurdaspur that the application seeking recall of the *ex-parte* eviction order dated 25.02.2015 be decided on merits by 31.12.2015 and till then *status-quo* will be continued to be maintained.

Disposed of. Dasti.

(**SURYA KANT**)
JUDGE

September 28, 2015.
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(**P.B.BAJANTHRI**)
JUDGE