

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.11335 of 2015

Date of Decision:-28.05.2015

Sarwan Singh

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Harish Sharma, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

The petitioner has been ordered to be evicted from his residential house no.994 measuring 439 square yards vide order dated 31.03.2015 (P-3) passed by the Deputy Director Local Bodies exercising the powers of Collector under the Punjab Public Premises (Eviction and Rent Recovery Act) 1973 by holding that the land belongs to Municipal Council Payal.

His sole grievance is that the Appellate Authority i.e. Deputy Commissioner, Ludhiana-respondent no.3 is not taking up his appeal along with application seeking interim stay to the complete prejudice of the petitioner. Thus, the prayer is only for a direction to the Authority to atleast take up the matter regarding stay.

Notice of motion.

On the asking of the Bench, Mr. Yatinder Sharma, Additional

Advocate General, Punjab accepts notice on behalf of official respondents.

After hearing learned Counsel for the parties, present writ petition is disposed of with a direction to the Deputy Commissioner, Ludhiana-Appellate Authority to take up the appeal and atleast decide the interim application within one month from the receipt of certified copy of this order.

Copies of this order be given to both the parties under the signatures of Bench Secretary.

**(JASWANT SINGH)
JUDGE**

May 28, 2015
Vinay