

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.24173 of 2015
Date of Decision: November 18, 2015

Rajinder Singh

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Kuldeep Singh Saini, Advocate, for the petitioner.

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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 short grievance of the petitioner in this writ petition is that though his statutory appeal against the eviction order dated 23.07.2014 is pending before respondent No.2, i.e., the Appellate Authority, in which he has prayed for ad-interim stay also but no order on that application was passed and meanwhile, warrants of possession have been issued for execution of eviction order.

We find from the record that the appeal is stated to have been filed on 10.09.2014.

Taking into consideration the totality of circumstances and the fact that the petitioner availed the remedy of appeal under the statute without wastage of time and his dispossession in the interregnum would render the appeal as infructuous, we dispose of this writ petition without expressing any views on merits, with a direction to the parties

to maintain status-quo re: possession during the pendency of the above-stated appeal subject to the condition that the Appellate Authority may impose such reasonable terms and conditions on the petitioner within two weeks of receipt of a certified copy of this order, which the Appellate Authority may deem necessary to protect the interest of Gram Panchayat. It would also be appreciated if the Appellate Authority may, without prejudice to the pendency of older appeals, decide the petitioner's appeal expeditiously and preferably within four months.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

November 18, 2015
mohinder

[HARI PAL VERMA]
JUDGE