

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.26673 of 2015
Date of Decision: December 21, 2015

Mahabir and anotherPetitioners

versus

State of Haryana and othersRespondents

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

Present: Dr.Naresh Kaushik, Advocate, for the petitioners.
Mr.Anil Mehta, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent Nos.1 to 5 only at
this stage.

On our asking, Mr.Anil Mehta, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let five copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1 to 5 or to serve respondent No.6 at this
stage as no order prejudicial to their interest is being passed.

Against the judgment and decree dated 17.03.2015
passed by the Collector, Sonapat, at the instance of the Gram
Panchayat, the petitioners have filed a Statutory Appeal

alongwith stay application which is pending consideration before the Commissioner, Rohtak Division. It is averred that no decision has been taken on the stay application due to which the petitioners are apprehending their dispossession in execution proceedings.

For the reasons assigned in the order dated 10.12.2015 in CWP No.25815 of 2015 (Raj Pal versus State of Haryana and others, passed in similar circumstances, the instant writ petition is disposed of with a direction that dispossession of the petitioners shall remain stayed subject to the condition that they will not create any third party rights and shall not alter the nature of the land. The ad-interim stay shall continue till the appeal is decided. The Appellate Authority is further directed to take up the appeal for final disposal either on the date fixed or preferably within one month thereafter.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

December 21, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE