

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.16460 of 2016

Date of Decision : 12.08.2016

Gurnam Singh and others

....Petitioners

Versus

Joint Development Commissioner, Punjab
and another

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

....

Present: Mr. S.S.Salar, Advocate
for the petitioners.

.....

MAHESH GROVER, J.

This petition is directed against the order Annexure P-7 passed by the Commissioner declining stay to the petitioners even though their appeal against the order of the Collector is yet to be decided finally.

Learned counsel for the petitioners contends that the order of the Commissioner is cryptic and non-speaking.

On perusal of order Annexure P-7, we find that no reasons have been given to decline the stay. When the Collector has commented upon certain issues, it was incumbent upon the Commissioner to deal with such issues to which parties are in conflict while commenting on the issue of stay. A single line order without giving reasons cannot be accepted in law, particularly when it has serious repercussions on the rights of the parties.

Consequently, without issuing notice of motion to the other side lest irreparable damage is caused in the resultant delay due to procedures, we deem it appropriate to set aside the order Annexure P-7 only on the ground that it is cryptic and non-speaking. We also direct the Commissioner to pass a fresh order within a period of 15 days from the date of receipt of certified copy of the order, after giving both the parties a hearing on the issue of stay.

Petition stands disposed of.

Till the time the issue of stay is decided, as mandated above, the dispossession of the petitioners shall remain stayed.

(MAHESH GROVER)
JUDGE

12.08.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No