

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

**Civil Writ Petition No. 19115 of 2016
Date of Decision: 16.9.2016**

Harbhagwan and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Ashok Verma, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioners have approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus.

Learned counsel for the petitioners submits that against order dated 19.7.2016 passed by the Commissioner, petitioners have already filed their revision petition before the Financial Commissioner, Haryana, on 29.8.2016. He further submits that the said revision petition was listed for hearing on 31.8.2016 but no court was held by the Financial Commissioner and the case was adjourned to 7.9.2016. Again on 7.9.2016, no court was held and the case was adjourned to 28.9.2016. He submits that petitioners are apprehending dispossession. If the petitioners are dispossessed from the land, their revision petition would be rendered infructuous. He also submits that under these circumstances, petitioners deserve indulgence by this Court, at this stage, only to the extent that, till the stay matter is heard and decided

by the Financial Commissioner, dispossession of the petitioner may be stayed.

Having heard the learned counsel for the petitioners and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of with a direction to the Financial Commissioner, Haryana, before whom statutory appeal alongwith stay application of the petitioners is pending, to grant preliminary hearing to the petitioners, hear at least the stay matter and decide the same at an early date by passing an appropriate order thereon, strictly in accordance with law. However, till the stay matter is heard and decided by the Financial Commissioner, dispossession of the petitioners shall remain stayed.

With the abovesaid observations made and directions issued, present petition stands disposed of.

16.9.2016
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

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