

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.8510 of 2016

Date of Decision: May 04, 2016

Baljeet Singh

....Petitioner

versus

Joint Development Commissioner and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

Present: Mr.M.S.Dhami, 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 petitioner has been ordered to be evicted from the Gram Panchayat land vide order dated 12.01.2016 with a finding that he has unauthorizedly constructed three shops on the Gram Panchayat land where he is running his business without paying any rent. There are also allegations of causing nuisance to womenfolk of the village, due to assembly of anti-social elements in front of the shops.

Be that as it may, the petitioner preferred an appeal against the eviction order but the stay application has not been decided so far. He thus seeks a direction to protect his possession till the Appellate Authority takes-up his appeal and pass an appropriate order.

Since the petitioner is running lucrative business and making profit out of the shops alleged to have been

constructed over the Gram Panchayat land, we dispose of this writ petition directing both the parties to maintain status-quo re: possession till the Appellate Authority decides the stay application, subject to the condition that the petitioner shall deposit monthly rent of Rs.15000/-, i.e., Rs.5000/- per shop w.e.f. 01.04.2015 onwards (eviction petition was filed on 19.03.2015) in the Court of DDPO-cum-Collector, SAS Nagar Mohali. 50% of the said amount shall be deposited within one week from the date of receiving a certified copy of this order and the balance amount shall be deposited within two weeks thereafter. The deposit of the above-stated amount by the petitioner shall be without prejudice to legal rights of both the parties. In the event of non-deposit of the amount, the ad-interim stay shall stand vacated automatically. However, if the petitioner continues to deposit the same on monthly basis on 7th day of every month, status-quo re: possession shall be maintained. The Appellate Authority is further directed to decide the appeal within three months after deposit of the above-stated security amount by the petitioner.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 04, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE