

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1380 of 2017 (O&M)

Date of Decision: 02.02.2017

Gurcharan Singh & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Vinod Bhardwaj, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners are residents of village Shahpur Kalan, Tehsil Sunam, District Sangrur. They were ordered to be evicted from the land in dispute pursuant to an eviction petition filed by the Gram Panchayat of their village. The eviction order was passed on 24.02.2015. The petitioners directly challenged the eviction order before this Court in CWP No.21656 of 2015 which was disposed of on 09.10.2015 with liberty to them to file appeal which was directed to be decided on merits and till such time, *status quo* regarding demolition of petitioners' houses was ordered to be maintained.

(2) The short grievance in this writ petition is that pursuant to the above-stated order of this Court, the petitioners filed the appeal which has since been finally heard and the order is reserved. However, the Gram Panchayat is seeking execution of the order on the ground that the stay order against dispossession of the petitioners is no longer operative. The Executing Court has issued warrant of possession also.

(3) In the light of the above-noticed facts, we deem it appropriate to dispose of this writ petition with a direction that the *status quo re:* demolition of the houses of the petitioners and/or their dispossession shall be maintained till

them. *Status quo* shall continue for two weeks even thereafter also so as to enable the petitioners to avail their legal remedy, if need be.

(4) Disposed of.

(5) Let a copy of this order under the signature of Bench Secretary be handed over to counsel for the petitioner during the course of day.

(Surya Kant)
Judge

02.02.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No