

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.22304 of 2017.

Date of Decision: September 28, 2017

Rajinder Kumar and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Ms.Satpreet Grewal Kapila, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The District Development and Panchayat officer, Hoshiarpur, vide order dated 13.12.2016 allowed the eviction petition filed by the Gram Panchayat under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 and ordered ejectment of the petitioners from the land in dispute.

The petitioners unfortunately did not challenge the said order before the Appellate Authority though an appeal lies under the Statute. Now, they have received a notice to hand-over possession of the land in question.

Faced with this, learned counsel for the petitioners states that given some time, the petitioners will prefer an appeal at this stage.

We thus dispose of this writ petition with liberty to the petitioners to file appeal alongwith an application for condonation of delay. We have no reason to doubt that the Appellate Authority shall sympathetically consider the application for condonation of delay and shall make an endeavour to decide the appeal on merits.

Let the petitioners file the appeal within one week alongwith an application for condonation of delay as well ad-interim stay. To enable the petitioners to file such appeal, it is directed that *status quo* re: possession be maintained for a period of one month from today.

Dasti.

[SURYA KANT]
JUDGE

September 28, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No