

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.22478 of 2017.

Date of Decision: October 03, 2017

Harjinder Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Manish Joshi, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Tira, Block Majri, District SAS Nagar Mohali. The Gram Panchayat of their village filed eviction petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 for their eviction out of the land fully described in head-note of the writ petition. The eviction petition was allowed and eviction order dated 09.06.2015 was passed against them. The aggrieved petitioners have filed statutory appeal which is pending before respondent No.2. The petitioners have also applied for grant of stay against their dispossession. It is averred that the Appellate Authority has misconstrued the order dated 07.02.2017 passed by this Court in PIL proceedings, and neither it is deciding the appeal nor their stay application. The petitioners thus apprehend their dispossession pursuant to the eviction order.

In the light of the above stated stand taken by the petitioners, we deem it appropriate to dispose of this writ petition with a direction to respondent No.2-Appellate Authority to decide the stay application filed by

the petitioners, within one month by way of a reasoned order. Their appeal (s) be also taken up for final disposal in due course of time and preferably within six months from the date of receiving a certified copy of this order.

Ordered accordingly.

Till the decision of stay application, *status quo* re: possession be maintained.

Dasti.

**[SURYA KANT]
JUDGE**

October 03, 2017
mohinder

**[SUDHIR MITTAL]
JUDGE**

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