

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.26103 of 2017

Date of Decision: November 15, 2017

Bhajan Singh

. . . . Petitioner

Vs.

The Financial Commissioner (Revenue), Punjab and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Sarju Puri, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The only prayer made in this petition is to direct the Financial Commissioner (Revenue), Punjab, who is seized of the revision, filed by the petitioner against the order of ejectment, to decide the stay application.

It is submitted that the said revision is now fixed for hearing on 22.11.2017. The petitioner has also applied for the stay separately along with the revision petition. It is further submitted that the need to file this petition arose because the respondents are trying to take possession and had already made a futile attempt on 3.11.2017.

Learned counsel for the petitioner further prays that respondent No.1 may be directed to at least decide the stay application on the date already fixed, but till then possession of the petitioner may be protected.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that the prayer made by the petitioner is innocuous, therefore, without issuing notice to the respondents, the present petition is hereby disposed of with a direction to

respondent No.1, who is seized of the revision of the petitioner, to decide the application for stay filed by the petitioner on the date already fixed i.e. 22.11.2017. In case the revisional authority is having any difficulty to decide the same on the date already fixed then it may keep the application for stay for a short date and decide the same on that date.

Till then status quo with regard to possession as it exists today shall be maintained.

It is made clear that the revisional authority shall decide the application for stay without being influenced with the order passed by this Court granting status quo to the petitioner as it is only an interim arrangement.

NOVEMBER 15, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No