

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.27781 of 2017

Date of Decision: December 07, 2017

Chiman Lal

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SUDHIR MITTAL.**

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Present: Mr.J.S.Thind, Advocate, for the petitioner.

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**Surya Kant, J.** (Oral)

The petitioner filed a petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 which was dismissed by the Collector, Amritsar vide order dated 04.10.2017. The petitioner has filed a statutory appeal against that order and it is averred in the writ petition that the appeal is now listed for hearing on 15.12.2017 before the Director, Rural Development and Panchayat-cum-Commissioner-cum-Appellate Authority. As on the previous date, i.e., 02.12.2017, the Appellate Authority did not hold the Court, as a result of which the petitioner could not press for interim stay. Meanwhile, the BDPO, Ajnala has sought police help to dispossess the petitioner and other alleged unauthorized occupants from the Gram Panchayat land.

We are of the considered view that since the petitioner's appeal is still pending and it is yet to be taken up for preliminary hearing, *status-quo* deserves to be maintained till the stay application is decided by the Appellate Authority. The writ petition is accordingly disposed of with a direction to the parties to maintain *status-quo* till the stay application filed/

to be filed by the petitioner is decided by the Appellate Authority. The Appellate Authority is directed to decide the stay application on the date fixed, i.e., 15.12.2017 or within one month thereafter.

Ordered accordingly.

Dasti.

[SURYA KANT]  
JUDGE

December 07, 2017  
*mohinder*

[SUDHIR MITTAL]  
JUDGE

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