

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CWP No.5 of 2017

Date of decision: 04.01.2017

Roshan

----Petitioner

Versus

State of Haryana and others

---Respondents

**Coram: Hon'ble Mr. Justice Harinder Singh Sidhu**

**Present:** Mr. Gurnam Singh, Advocate  
for the petitioner.

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**HARINDER SINGH SIDHU, J.**

The petitioner is stated to be the tenant in the land of respondent Nos.4 to 9 since the time of his fore-fathers. The said respondents No.4 to 9 filed a petition under Section 14 (a)(i) read with Section 9 of the Punjab Security of Land Tenure Act, 1953 for ejectment of the petitioner on various grounds including that the rent had not been paid. An order dated 05.05.2016 for eviction of the petitioner was passed by respondent No.3.

It is the case of the petitioner that the said order was passed without service of any notice to the petitioner. Neither any notice was served nor any munadi was conducted. The petitioner filed an appeal against the said order, which is pending before respondent No.2. Along with the appeal, the petitioner has filed an application for stay of the order dated 05.05.2016 but no order thereon has been passed.

On the execution application filed by the respondents No.4 to 9, the warrants of possession has been issued by respondent No.3.

The limited prayer of the petitioner in this case is that pending the decision on his stay application in the appeal filed by the petitioner, the proceedings in execution application including warrant of possession be directed to be stayed.

In view of the limited prayer of the petitioner, this petition is being disposed of without issue of notice to the respondents.

Accordingly, this petition is disposed of with a direction to respondent No.2 to decide the application for stay (Annexure P-4) within a period of three months from the date of receipt of a certified copy of this order. Pending decision on his stay application in the appeal filed by the petitioner, the proceedings in the execution application including execution of the warrant of possession shall remain stayed.

04.01.2017  
Atul

**(HARINDER SINGH SIDHU)**  
**JUDGE**