

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.9623 of 2017.

Date of Decision: July 18, 2017

Sarabjit Singh

.....Petitioner

versus

Joint Development Commissioner (IRD), Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Amrik Singh, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner seeks quashing of the order dated 05.09.2016 passed by the Joint Development Commissioner (IRD), Punjab-cum-Appellate Authority under the Punjab Village Common Lands (Regulation) Act, 1961 and seeks a further direction to the said Appellate Authority to expeditiously decide the appeal preferred by private-respondents.

The record reveals that private-respondents filed a declaratory petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 claiming themselves to be owners of the land in dispute. The Collector dismissed their suit against which they have filed statutory appeal before the Appellate Authority. They also applied for ad-interim stay and vide the impugned order, the Appellate Authority has directed the parties to maintain *status-quo* till the decision of the appeal.

In our considered view, the impugned order does not call for any interference. The Appellate Authority in its discretion has directed the parties to maintain *status-quo* till the decision of the appeal so as to avoid creation of third party rights and multiplicity of litigation. However, it is

expedient and in the interest of all concerns that the appeal preferred by

private-respondents is decided expeditiously. The writ petition is accordingly disposed of with a direction to the Appellate Authority to make an endeavour to decide Appeal No.75 of 2016 expeditiously and preferably within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

July 18, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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