

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

CWP No. 20559 of 2017(O&M)

Date of decision : 25.05.2018

Achariya Swami Gauri Shankar Dass

..... Petitioner

versus

Gram Panchayat, Village Phalaudi and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Amarjit Markan, Advocate for the petitioner.

Mr.Prashant Bansal, Advocate for respondent No.1.

Ms.Anu Pal, DAG, Punjab.

MAHESH GROVER, J. (ORAL)

The petitioner had approached this Court and at the time of issuance of notice of motion on 11.09.2017, he had inter alia contended that certified copy of eviction order dated 29.08.2017 had not been supplied to him due to which he was unable to file an appeal. It was stated before this Court that the Presiding Officer of the Appellate Authority had been transferred and the new incumbent had not joined so far.

While issuing notice of motion, we had directed the parties to maintain status quo regarding possession. It has now been stated by learned counsel for the respondents that the appeal along with an application for stay has been filed and registered but despite the fact that few months have

lapsed since then, the application for stay has still not been decided.

After hearing learned counsel for the parties, we deem it appropriate to dispose of the instant petition with the following direction:-

1. The Appellate Authority shall consider the application for stay in the first instance on the date fixed i.e. 01.08.2018. In case the appeal itself can be disposed of, the Appellate Authority would be at liberty to do so.
2. Till the next date of hearing i.e. 01.08.2018, the interim order granted by this Court on 11.09.2017 shall enure to the petitioner.

The petition stands disposed of.

(MAHESH GROVER)
JUDGE

(RAJBIR SEHRAWAT)
JUDGE

25.05.2018
sunita

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