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

Decided on: 18.04.2018

1. CWP No. 28106 of 2017 (O&M)

Mohinder Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

2. CWP No. 28647 of 2017 (O&M)

Baldev Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

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

Present: Mr. Amarjit Singh Ahluwalia, Advocate
for the petitioners.

Mr. Sandeep Vermani, Addl. AG, Punjab.

Mr. Amit Kumar Walia, Advocate
for respondent No. 4.

MAHESH GROVER, J(ORAL)

This order shall dispose of above mentioned two writ petitions.

While issuing notice of motion, the Court has passed the following orders in CWP No. 28106 of 2017:-

*“Let notice of motion be issued for
20.12.2017 to show cause as to why the appeal be
not directed to be decided on merits subject to
payment of heavy costs by the petitioner.*

Process dasti.

*Parties are directed to maintain status-quo
re:possession till the next date of hearing.”*

Pursuant to the abovesaid order, the respondents have entered appearance and they have no objection if the impugned order is set aside and the matter is remanded back for a fresh decision on merits.

After hearing learned counsel for the parties and noticing that an application filed by the petitioner was disposed of only on the ground of limitation without touching merits of the case and considering the long possession of the petitioner, we in view of these facts and on account of the consensual stand of parties set aside the impugned orders to enable the said authority to pass a fresh order on merits after giving opportunity of hearing to the parties. Needful be done within a period of six months from the date when the parties enter appearance before the Joint Development Commissioner on 17.05.2018.

In the meantime, petitioners are directed to deposit Rs. 10,000/- in each case as costs, with the Mediation and Conciliation Center of this Court within a period of one month from today.

The abovesaid petitions stand disposed of.

(MAHESH GROVER)
JUDGE

(RAJBIR SEHRAWAT)
JUDGE

18th April, 2018
shabha

<i>Whether speaking/reasoned</i>	-	<i>Yes/No</i>
<i>Whether reportable</i>	-	<i>Yes/No</i>