IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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1. ***CWP No.30198 of 2018***
Date of Decision:29.11.2018

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Dharambir

. . . . . Appellant

Vs.

State of Haryana and others

. . . . . Respondents

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2. ***CWP No.30200 of 2018***

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Sombir

. . . . . Appellant

Vs.

State of Haryana and others

. . . . . Respondents

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3. ***CWP No.30201 of 2018***

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Krishan Kumar

. . . . . Appellant

Vs.

State of Haryana and others

. . . . . Respondents

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CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

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Present: - Mr.Naveen S. Bhardwaj, Advocate,
for the appellant.

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RAKESH KUMAR JAIN, J. (ORAL)

This order shall dispose of three petitions bearing CWP Nos.30198, 30200 and 30201 of 2018. However, for the sake of brevity, the facts are being taken from CWP No.30198 of 2018.

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Learned counsel for the petitioner has submitted that the petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 [for short 'the Act'] is filed by the Gram Panchayat for seeking eviction of the petitioner from the land in dispute on the ground of unauthorized occupation. The said ejectment petition was allowed. The appeal was preferred against the said order and during its pendency, the petitioner filed a petition under Section 13-A of the Act for declaring his title over the land in dispute. During the pendency of the said title suit, the appeal of the petitioner against ejectment order was dismissed against which the petitioner has filed a revision petition dated 21.10.2018 which has now been posted for preliminary hearing on 9.1.2019. The petitioner has approached this Court on the ground that on the one hand the revisional authority has fixed the date for preliminary hearing for 9.1.2019 and on the other hand the Gram Panchayat is pressing hard for taking possession on the basis of the order of eviction passed against the petitioner. He has thus prayed for the issuance of a writ in the nature of mandamus for issuing a direction to the revisional authority (Respondent No.1) to hear the application for stay, which has been filed along with the revision petition before him on an early date.

We have heard learned counsel for the petitioner and after taking into consideration the facts and circumstances as narrated before us, the present petitions are hereby disposed of with a direction to the revisional authority/respondent No.1 to decide the application of stay in case any application is filed by the petitioner for preponemnt of the date of hearing of the application for stay already filed with the grounds of revision. Since, we are passing this innocuous order, therefore, we do not find any reason to

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issue notice to the respondents and the writ petitions are hereby disposed of at the preliminary hearing.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

29.11.2018
Vivek

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

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