

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CWP No.30981 of 2018 (O & M)
Date of Decision: 19.12.2018

Naresh Kumar

.Petitioner

Vs.

Collector Jhajjar and others

. Respondents

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

Present: - Mr.Saurabh Garg, Advocate
for the petitioner.

Mr. Amit Jaiswal, Advocate
for respondents No.3 and 4.

RAKESH KUMAR JAIN, J.

In this case, following order was passed on 06.12.2018:-

“Learned counsel for the petitioner has submitted that respondent No. 4 had filed an application under Section 7 of the Punjab Village Common Lands (Regulations) Act, 1961 (for short ‘the Act’) against the petitioner for seeking his eviction from the land in question. The said application has been allowed by the Assistant Collector, Ist Grade vide impugned order dated 27.09.2018. Thereafter, the petitioner has challenged the said order by way of statutory appeal which was listed on 27.11.2018 before the District Collector, Jhajjar and has been adjourned to 18.12.2018 because the presiding officer was not holding Court.

It is further submitted that while the appeal is adjourned to 18.12.2018 alongwith application for stay, respondent No. 4 has initiated the execution of the order passed by the Assistant Collector, Ist Grade for seeking eviction of the petitioners pursuant to which District Collector, Jhajjar, has passed an order for taking possession. It is submitted that in case the possession is taken from the petitioner pending his appeal, his interest would be seriously prejudiced.

Notice of motion for 19.12.2018. Dasti.

Till then, dispossession of the petitioner shall remain stayed.”

After notice, Mr. Amit Jasiwal, Advocate has put in appearance on behalf of respondents No.3 and 4 and has informed that the appeal pending before the Collector, Jhajjar has been dismissed on 18.12.2018 but it is submitted that the certified copy of the order is not available.

Be that as it may, nothing survives for adjudication in this petition at this stage.

Dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

19.12.2018
A.Kaundal

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No