

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

**CWP No.31061 of 2018
Date of Decision:14.12.2018**

Dharam Pal

....Petitioner

Versus

Joint Development Commissioner and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Dinesh Kumar Singla, Advocate for the petitioner
Mr.Charanpreet Singh, AAG, Punjab.

AUGUSTINE GEORGE MASIH, J.(ORAL)

On the last date of hearing following orders were passed:-

“It is the contention of learned counsel for the petitioner that after the passing of the order of eviction by the District Development and Panchayat Officer exercising the powers of the Collector on 15.09.2016, against which the petitioner has preferred an appeal dated 18.09.2018 (Annexure P-3) before the Joint Development Commissioner-Punjabrespondent No.1, along with application for stay (Annexure P-4), till date despite four dates having been fixed, on none of the occasions, the hearing of the appeal has taken place. He contends that process for eviction (Annexure P-5) of the petitioner has been initiated by the Gram Panchayat Raiwal, Tehsil Amloh, District Fatehgarh Sahib. Counsel contends that in case the possession is taken from the petitioner, the appeal as preferred by the petitioner, would be rendered infructuous.

Let two copies of the writ petition be handed over to Mr. Charanpreet Singh, Assistant Advocate General, Punjab, during the course of the day under proper receipt, who shall seek instructions from the respondents as to on which date the appeal would be heard.

List on **14.12.2018** as it is informed that the next date of hearing before the Appellate Authority is 19.12.2018.

Status quo with regard to the possession, as it exists today, shall be maintained till the next date of hearing.

Copy of this order be given ***dasti*** to the counsel for the State under signatures of Bench Secretary of this Court for information and compliance.

2. Learned counsel for the State on instructions from Sudhgar Singh, Law Officer informed this court that Joint Development Commissioner (Exercising the Powers of Commissioner under the Punjab Premises and Land (Eviction and Rent Recovery) Act, 1973, Department of Rural Development and Panchayat, Punjab shall consider and decide the application for stay as preferred by the petitioner on 19.12.2018 the date already fixed.

3. In the light of the statement made by the learned counsel for the State on instructions, the present writ petition is disposed as infructuous. It was without saying that respondent No.1 shall abide by the instructions as given to the counsel for the State.

Status qua shall continue till 19.12.2018

(AUGUSTINE GEORGE MASIH)
JUDGE

14.12.2018

raman

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No