

CWP-8202-2019

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

CWP-8202-2019.

Decided on: March 28, 2019.

Rakesh

.. Petitioner

VERSUS

State of Haryana and others

.. Respondents

*** * ***

**CORAM: HON'BLE MR.JUSTICE JASWANT SINGH
HON'BLE MR.JUSTICE ARUN KUMAR TYAGI**

*** * ***

**PRESENT Mr.Vikram Singh, Advocate,
for the petitioner.**

JASWANT SINGH, J. (ORAL)

The petitioner has been held to be **encroacher** of village street to the extent **of 28' X 7' - 6"**, by construction of a portion of his house vide order dated 7.1.2019, (**Annexure P1**) passed by the Assistant Collector First Grade, Sonipat. Petitioner has filed the **statutory appeal** under Section 7 (2) of the Punjab Village Common Lands (Regulation) Act, 1961, before the Collector Sonipat, (**Annexure P2**) along with an **application for stay** (**Annexure P3**).

It is contended that for one reason or the other no order

has been passed on the pending stay application and the authorities are proceeding to execute the eviction order. The prayer is thus, restricted to the stay of the eviction till the decision on the application for stay appended along with appeal.

After hearing the counsel for the petitioner and keeping in view the settled law, the instant writ petition is disposed of with a direction that the **eviction order dated 7.1.2019, (Annexure P1)**, shall not be executed till the stay application filed by the petitioner along with appeal is decided by the Collector, Sonipat.

(JASWANT SINGH)
JUDGE

March 28, 2019.
raj arora

(ARUN KUMAR TYAGI)
JUDGE

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