

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

CWP-13399-2019

Date of Decision: 22.07.2019

Sulinder Singh and others

. Petitioners

Vs.

State of Haryana and others

. Respondents

**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE ARUN KUMAR TYAGI**

Present: - Mr.J.S. Cooner, Advocate, for the petitioners.

Mr.P.P. Chahar, DAG, Hayrana.

RAKESH KUMAR JAIN, J. (ORAL)

Petitioners are the residents of Village Ballana, Tehsil and District Ambala. They have earlier come to this Court in CWP No.7548 of 2019, which was disposed of on 19.3.2019 with the following order: -

“Prayer made by the petitioners is for the issuance of a direction to the District Development & Panchayat Officer/Assistant Collector Ist Grade- Ambala, seized of the ejectment writ petition filed under Sections 7 (1)(2) of Punjab Village Common Land (Regulation) Act, 1961, as applicable to the State of Haryana (for short 'the Act') filed on 10.04.2013 and is pending since then for an early decision.

The prayer made by the petitioners is considered and without issuing any notice to the respondent as it is not required, in the given facts and circumstances, the

aforesaid authority which is seized of the petition filed by the petitioners, in terms of Section 7 of the Act, is directed to decide the same expeditiously and preferably within a period of 6 months by giving short dates.

Disposed of.”

The petitioners have again approached this Court with a limited prayer that respondent No.4 may be directed to decide their application for stay on the date already fixed i.e. 24.7.2019 because during the pendency of the said application, respondents No.8 to 13 are raising construction. On 28.5.2019, this Court passed the following order: -

“Learned counsel for the petitioners prays for time to file affidavit of the petitioners that they are not in unauthorized possession of any Panchayat land and also not a defaulter of any Panchayat dues but also to show any statutory provisions under which the nature of the relief claimed can be granted.

Mr.R.K. Doon, Assistant Advocate General, Haryana also prays for more time to seek instructions.

List on 22.07.2019.”

Apropos, the petitioners have filed their respective affidavits in which they have averred that they are not in unauthorized possession of any Panchayat land and also not defaulters of any Panchayat dues.

Learned counsel for the State has submitted that the application filed by the petitioners would definitely be decided by respondent No.4 on 24.7.2019, one way or the other.

In view thereof, the present petition is hereby disposed of with a direction to respondent No.4 to decide the application for stay filed by the petitioners on the date fixed i.e. 24.7.2019 by passing a speaking order and after affording opportunity to the petitioners.

Copy *dasti*.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

22.07.2019

Vivek

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*