

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

**CM No.9476-CWP of 2019 in
CWP No.17082 of 2019
Date of decision: 09.07.2019**

Vishal Kumar and others

..Petitioners

Versus

State of Haryana and others

..Respondents

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. Sandeep Sharma, Advocate
for the applicant-petitioners.

Mr. Ankur Mittal, Addl. AG, Haryana
for the respondents-State.

Daya Chaudhary, J. (Oral)

CM No.9476-CWP of 2019

This application has been filed under Section 151 CPC for staying the demolition of the residential houses of the petitioners.

The main case is fixed for hearing on 07.08.2019.

On oral request of learned counsel for the applicant-petitioners, the main case i.e. CWP No.17082 of 2019 is preponed for today and the same is taken up for hearing.

CWP No.17082 of 2019

Learned counsel for the petitioners submits that the petitioners have also filed appeal along with an application for stay, which is pending for hearing on 27.07.2019. No order has been passed for vacation of stay and the application is still pending. There is all apprehension for demolition of

.....

the residential houses of the petitioners. Learned counsel also submits that the petitioners would be satisfied in case, directions are issued to the appellate authority-respondent No.1 to consider the stay application on some early date.

Learned State counsel on instructions from Sajjan Singh JE, O/o District Town Planner (E), Gurugram submits that till the decision is taken on the stay application, the houses of the petitioners will not be demolished.

Keeping in view the submissions made by learned counsel for the parties and the limited prayer of the petitioners, the present writ petition is disposed of with a direction to respondent No.1 to consider the pending stay application along with appeal and take necessary action in accordance with law expeditiously as early as possible preferably on the next date of hearing i.e. 27.07.2019.

However, the status quo as it exists today shall be maintained till the decision is taken on the application.

**(DAYA CHAUDHARY)
JUDGE**

**09.07.2019
neetu**

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned	Yes
Whether Reportable	No