

CWP-18144-2019

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-18144-2019

Date of Decision: 20<sup>th</sup> August, 2019

Maru Singh & others

...Petitioners

Versus

Financial Commissioner (Appeals), Punjab & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

Present: Mr. Sherry K. Singla, Advocate  
for the petitioners.

Mr. Charanpreet Singh, Asstt. A.G., Punjab  
for respondents No.1 and 2.

Mr. Nagar Singh, Advocate  
for respondents No.3 to 9 and 11 to 14.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

In compliance with the order dated 11.07.2019 passed by this Court, short reply by way of affidavit of the Special Chief Secretary-cum-Financial Commissioner (Revenue) to Government of Punjab, dated 19.08.2019, has been filed in Court, according to which, after passing of the order dated 11.07.2019 by this Court in this writ petition, State Government has issued a letter dated 12.07.2019 to all the Financial Commissioners (Appeals), Punjab and issued further instructions requesting them to entertain the revision petitions and at least the applications for stay in those matters be decided or petition be rejected if the authorities are of the view that the revision petition is not maintainable. Copy of the said letter is appended as Annexure R-1.

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Counsel for the parties as well as counsel for the State, on instructions from Shri Darshan Singh, Senior Assistant, informs the Court that at present, revision petitions and the applications for stay are being entertained by the respective Financial Commissioners (Appeals). It has further been informed that the next date of hearing in the revision petition filed by the petitioners is 06.09.2019.

If that be so, the Financial Commissioner (Appeals), Punjab, shall make an endeavour to decide the application for stay on the said date and in case, because of some reason, the stay application cannot be decided on the said date, the same be decided within a period of four weeks thereafter. Interim order dated 11.07.2019 passed by this Court shall continue till the decision on the application for stay, which is pending before the Financial Commissioner (Appeals), Punjab.

The writ petition is disposed of with above observations and directions.

It is clarified that interim order which has been granted by this Court shall have no bearing upon the decision on the application for stay and the Financial Commissioner (Appeals), Punjab, shall decide the application on its own merits.

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

**20<sup>th</sup> August, 2019**  
*Harish*

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|-----------------------------------|---------------|
| <b>Whether speaking/reasoned:</b> | <b>Yes/No</b> |
| <b>Whether Reportable:</b>        | <b>Yes/No</b> |