

CWP-550-2020 (O&M)

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

**CWP-550-2020 (O&M)
Date of decision : 03.02.2020**

Sudesh Kumar and another

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MRS. JUSTICE ALKA SARIN**

Present: Mr. A.S. Ghuman, Advocate for
Mr. Vikram Singh, Advocate
for the petitioners.

Ms. Kirti Singh, DAG, Haryana,
for for respondent Nos.1 to 4.

Mr. Vinod Kumar, Advocate
for respondent No.5.

Mr. Parminder Singh, Advocate
for respondent No.6.

RAKESH KUMAR JAIN, J. (ORAL)

On 10.01.2020, the following order was passed by this Court:-
"Counsel for the petitioners, inter alia, contends that the Divisional Commissioner, Karnal has dismissed the application for stay whereas the revision petition is pending for 10.02.2020. It is submitted that the land in dispute is shamlat deh and the petitioners have constructed their houses. Counsel has further submitted that if their dispossession is not stayed till the pendency of the revision petition, then the petitioners may be dispossessed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 as orders have already been passed against them by two Courts below.

Notice of motion.

On our asking, at this stage, Ms. Palika Monga, DAG, Haryana accepts notice on behalf of respondents No. 1 to 4 and Mr. Parminder Singh, Advocate accepts notice on behalf of respondent No.6.

Counsel for the respondents prays for time to file reply.

Adjourned to 03.02.2020.

Notice be issued to respondents No.5 and 7 through dasti process. In the meantime, parties shall maintain status quo as it exists today till the next date of hearing."

After notice, the respondents have put in appearance.

Learned counsel for respondent No.6 (contesting respondent) has submitted that the present writ petition may be disposed of with a direction to respondent No.2/Divisional Commissioner, Karnal, who is seized of the revision petition filed by the petitioners, to decide the same on the date already fixed i.e. 10.02.2020 and till then, the stay granted by this Court on 10.01.2020 may be allowed to continue.

Learned counsel for the petitioners and other respondents have not raised any objection in this regard.

Thus, in view of the above, the present writ petition is hereby disposed of with a direction to the Divisional Commissioner, Karnal/respondent No.2, to decide the revision petition (*lis* pending before him) on the date already fixed i.e. 10.02.2020 and in case, it is not possible to decide the same on that date, the same shall be decided on the adjourned date, but till then, the interim order of this Court dated 10.01.2020 shall continue.

(RAKESH KUMAR JAIN)
JUDGE

(ALKA SARIN)
JUDGE

03.02.2020
Yogesh Sharma

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No