

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

CWP No. 1087 of 2020 (O&M)

Date of Decision: 16.01.2020

PARMAL SINGH AND ANOTHER

..... Petitioners

V/s.

***COMMISSIONER, AMBALA DIVISION, AMBALA, DISTRICT
AMBALA AND OTHERS.***

..... Respondents

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
 HON'BLE MR. JUSTICE ASHOK KUMAR VERMA.

Present: Mr. Sanjiv Gupta, Advocate,
 for the petitioners.

RAKESH KUMAR JAIN, J. (Oral)

The petitioners have prayed for the issuance of a writ in the nature of *mandamus* to direct respondent No. 1 to decide their revision petition which is pending before him and is fixed for 03.02.2020.

It is submitted that pursuant to the order dated 28.08.2019 passed in **CWP No. 21010 of 2019**, the petitioners had filed the revision petition before respondent No. 1 and the same was fixed for preliminary hearing on 15.10.2019. Thereafter the same was adjourned to 10.12.2019, 08.01.2020 and 15.01.2020 because respondent No. 1 did not hold the Court on those days. In the meantime, respondent No. 3 has issued warrant of possession as the petitioners were already ordered to be evicted in terms of an application filed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961. It is submitted that the warrant of possession is likely to take effect during the pendency of the revision petition, therefore, the petitioners had to rush to this Court with the aforesaid prayer coupled with

the prayer that in the meantime, their dispossession from the property in question may be stayed, otherwise they will suffer irreparable loss and injury.

After hearing counsel for the petitioners and taking into account the facts as narrated by him, we are of the considered opinion that this is a fit case in which direction can be issued to respondent No. 1 as prayed for.

Since, the prayer is totally innocuous, therefore, we do not find any necessity to issue notice to the respondents at this stage and hereby dispose of the writ petition with a direction to respondent No. 1, who has seized of the revision petition filed by the petitioners, to decide the same on 03.02.2020 i.e. the date fixed in the revision petition and if it is not possible to decide the same on the same day, the same be decided on the next date of hearing but in the meantime, the parties shall maintain *status quo* as it exists today in regard to possession of the property in question.

With the aforesaid observations, present petition is hereby disposed of.

Order *dasti*.

[RAKESH KUMAR JAIN]
JUDGE

January 16, 2020

Ess Kay

[ASHOK KUMAR VERMA]
JUDGE

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No