

116 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.5530 of 2020 (O&M)
Date of decision: 04.03.2020

Malkiat Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: **Hon'ble Mr. Justice Rakesh Kumar Jain**
 Hon'ble Mr. Justice Ashok Kumar Verma

Present: Mr. Kanwaljit Singh, Senior Advocate with
 Mr. Sarthak Gupta, Advocate and
 Mr. Akshaydeep Singh, Advocate
 for the petitioner.

Mr. P.S.Bajwa, Addl. Advocate General, Punjab.

Rakesh Kumar Jain, J. (Oral)

The petitioner filed a suit under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'the Act') for deciding his title on the land in question as the owner. The said suit was dismissed by the Collector vide order dated 24.09.2019. The petitioner challenged the said judgment and decree by way of an appeal alongwith an application for stay from dispossession. It is submitted that the appeal and the application are now posted for hearing somewhere in the month of March or April as there is a dispute about the exact date of hearing.

Be that as it may the end of justice would be met if a direction is issued to the Appellate Authority, who is seized of the appeal and the application for stay, filed by the petitioner, to at least decide the application for stay as early as possible.

Although, we have not issued notice of motion in this case, but on our asking Mr. P.S.Bajwa, Additional Advocate General, Punjab had put in

appearance on 28.02.2020 and today, Mr. Nakul Sharma, has put in appearance on behalf of respondent No.3-Gram Panchayat.

Counsel for the respondents have consented that the writ petition may be disposed of with a direction to the Appellate Authority to decide the application for stay.

Accordingly, this petition is, hereby, disposed of with a direction to the Appellate Authority to decide at least the application for stay. The parties are directed to appear before the Appellate Authority for the decision of the application for stay on 18.03.2020.

During the course of hearing, counsel for the respondents has submitted that in case, the Court, who is seizing of the appeal filed by the petitioner, is not holding court for some reason then this matter may be put up before the Coordinate Court for the purpose of the decision of the application for stay. We order accordingly.

With these observations, the present petition is disposed of.

[RAKESH KUMAR JAIN]
JUDGE

[ASHOK KUMAR VERMA]
JUDGE

04.03.2020
hemlata

Whether speaking / reasoned	:	Yes/No
Whether reportable	:	Yes/No