

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CWP-7418-2020

Date of Decision : 24.09.2020

JAGMAL SINGH

....Petitioner

Versus

DEPUTY COMMISSIONER AND ORS

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ajay Jain, Advocate for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

Mr. Ram Darshan Yadav, Advocate for respondents No. 3 to 7.

Harsimran Singh Sethi, J. (Oral)

CM-7478-CWP-2020

As the main case i.e. CWP No. 7418 of 2020 is listed for today,
this application has become infructuous.

CM-9633-CWP-2020

Present application has been filed for placing on record reply to
the application i.e. CM No. 7481-CWP-2020.

Application is allowed and reply to the application i.e. CM No.
7481-CWP-2020 is taken on record.

CWP-7418-2020

Present petition has been filed by the petitioner seeking a
direction to respondent No. 1 to adjudicate his appeal/application for stay,

which the petitioner has preferred against the order dated 07.02.2020 (Annexure P-2) passed by respondent No. 2 at the earliest.

Learned counsel for the petitioner argues that the appeal of the petitioner is not being heard by respondent No. 1, which is causing prejudice to the petitioner and, therefore, a direction be issued to respondent No. 1 to decide the appeal/application for stay in a time bound manner by passing an appropriate speaking order.

Upon notice of motion, the respondents have appeared. Learned counsel appearing on behalf of respondents No. 1 and 2 as well as learned counsel appearing on behalf of respondents No. 3 to 7 raises no objection with regard to the prayer of the petitioner for issuance of a direction to respondent No. 1 to decide the appeal/application for stay preferred by the petitioner against the order dated 07.02.2020 (Annexure P-2), which is stated to be pending before respondent No. 1, in a time bound manner.

This Court has been informed that the next date fixed by respondent No. 1 for hearing of the appeal is 30.09.2020. That being so, a direction is issued to respondent No. 1 to finally decide the appeal preferred by the petitioner against the order dated 07.02.2020 (Annexure P-2) either on 30.09.2020 or within a period of one month from today, by passing an appropriate speaking order.

It has been agreed between the parties that till the appeal is decided by respondent No. 1, the status quo, as it exists today with regard to the possession and alienation of the property concerned, will be maintained by the parties.

At this stage, learned State counsel submits that the parties be

directed to appear before respondent No. 1 on 30.09.2020 so that the order passed by this Court for deciding the appeal within the time stipulated can be complied with.

Parties are directed to appear before respondent No. 1 on 30.09.2020 at 11.00 a.m.

It is made clear that this Court expresses no opinion on the merits of this case as well as the appeal, which is pending before respondent No. 1, at this stage.

Writ petition stands disposed of accordingly.

CM No. 7481-CWP-2020

Learned counsel for the petitioner does not wish to press this application as the main case i.e. CWP No. 7418 of 2020 has been decided.

Application is disposed of having been not pressed.

September 24, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No