

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

121

Civil Writ Petition No.9916 of 2020

Date of Decision: July 17th, 2020

Jaswant Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sanjeev Kumar Arora, Advocate
for the petitionzaer.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

On 16.07.2020, the following order was passed:-

“The grievance of the petitioner is that despite he having challenged the order dated 24.06.2020 (Annexure P-1) on 26.06.2020 before the Divisional Canal Officer, Faridkot Canal Division, Faridkot-respondent No.2, firstly neither any date has been fixed for hearing of the appeal nor application for stay, which has been preferred by him, decided. This is being done on the pretext of pandemic relating to COVID-19. He contends that the inaction on the part of respondent No.2 has led to a situation where the private respondent No.4 is insisting upon execution of the order passed by the Deputy Collector, Faridkot Canal Division, Faridkot-respondent No.3. Pressure is being put on the authority for implementation of the said order, leading to the authority approaching the petitioner for implementation of the order. He further contends that he would be condemned unheard in case the order dated 24.06.2020 (Annexure P-1) is implemented, rendering the appeal infructuous.

Counsel for the State, Mr.Nikhil Chopra, Additional Advocate General, Punjab, to seek instructions in this regard.

Adjourned to 17.07.2020.

*In the meanwhile, order dated 24.06.2020
(Annexure P-1) be kept in abeyance.”*

Counsel for the State informs the Court that because of the prevailing pandemic, no date could be fixed in the appeal.

Keeping in view the peculiar circumstances, when the application for stay which has been preferred along with the appeal, is neither being listed nor being heard, status quo, as existed on the date of passing of the order dated 24.06.2020 passed by the Deputy Collector, Faridkot Canal Division, Faridkot-respondent No.3, shall be maintained by both the parties unless the application for stay or the appeal itself is decided by the Appellate Authority, which is earlier.

The writ petition stands disposed of with above order/direction.

July 17th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No