

CWP-10525-2020

Date of Decision:27.07.2020

RAKESH KUMAR AND OTHERS

..Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Nakul Sharma, Advocate for the petitioners.

Mr. Sahil Sharma, DAG, Punjab.

JASWANT SINGH, J. (ORAL)

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Petitioners, namely, Rakesh Kumar, Sushil Kumar and Avtar Singh, have been ordered to be ejected vide an *ex parte* order dated 29.11.2018 (P-2) passed by respondent No.3-Collector in an application filed by the Gram Panchayat, Harike, Tehsil Patti, District Tarn Taran under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 from a total area measuring 152 kanals.

It is averred that the petitioners filed an appeal before the Director, Rural Development and Panchayat Department, Punjab along with an application seeking stay of operation of the order of ejectment. It is further averred that due to outbreak of the pandemic, COVID-19, the Appellate Authority has not been able to hold the court and even take up the application for stay of the ejectment order, whereas warrants of possession were issued on 07.02.2019 (P-3) by the District Development and Panchayat Officer-cum-Collector, Tarn Taran. It is next averred that there

is a constant threat of execution of warrants of possession. Hence, the present writ petition seeking a direction to the Appellate Authority to decide the application for stay expeditiously.

On the previous date, i.e. 24.07.2020, this Court had directed the learned State counsel to seek instructions within as to how much time the Appellate Authority would dispose of the application for stay of eviction order.

In compliance of the said order dated 24.07.2020, the learned State counsel states that the Appellate Authority would positively decide the application for stay on the next date fixed, i.e. 07.08.2020.

In view of the above-said stand taken by the learned State counsel, the present writ petition is disposed of with a direction that till the application for stay of eviction order is decided, status quo regarding possession shall be maintained.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

27.07.2020
mks

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