

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.11503 of 2020 (O&M)
DECIDED ON : 10.08.2020

Satyapal @ Satpal

...Petitioner

Versus

Financial Commissioner, Revenue Haryana, Sector 17, New Civil
Secretariat, Chandigarh

...Respondent

CORAM:- HON'BLE MR. JUSTICE GIRISH AGNIHOTRI.

Present:- Mr. Kul Bhushan Sharma, Advocate, for the petitioners.

GIRISH AGNIHOTRI, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Satyapal @ Satpal, stated to be aged 57 years has filed the present writ petition *inter alia* with a prayer to direct the respondent to hear ROR No.411 of 2019-2020 along with stay application (Annexure P-1) filed on 28.07.2020 before the respondent, which is now fixed for 11.08.2020, as the respondent has stated that this Court has directed not to hear any appeal or revision, as the warrant of possession has been issued to dispossess the petitioner from the land in question.

Learned counsel for the petitioner by making reference to para 2 of the petition submits that in the partition proceedings, the petitioner was wrongly shown to have been served. He submits that this has been done by making fictitious/forged signatures. The grievance, therefore, is that resultantly, orders of partition and also *Sanad Taksim* ex-parte have been ordered. The prejudice which the petitioner has suffered is that he got

inferior quality of land as compared to good land. It is then pleaded that the petitioner came to know when the warrants of possession was issued and accordingly, after taking certified copies, the revision petition has been filed. However, considering the urgency along with revision petition, prayer was also made for interim stay. He, however, submits that inspite of the fact that the revision petition was filed on 28.07.2020, no date has been given by the Competent Authority. Learned counsel then submits that the date of hearing although has been fixed as 11.08.2020, but it is learnt from the office of the Competent Authority that on 11.08.2020, no orders shall be passed.

Notice of motion.

On the asking of Court, Ms. Palika Monga, DAG, Haryana, accepts notice on behalf of respondent-State.

This Court, at this stage, is not inclined to issue any directions on merits. It is only deemed appropriate to direct the Competent Authority to consider and pass the appropriate orders, in accordance with law, on the stay application by taking into consideration the objection, if any, raised by the Department.

In case, it is not possible to hear the matter on the date fixed, it is directed that the decision on the stay application be given within 10 days from today.

Petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

10.08.2020
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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO