

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115)

CWP no.16427 of 2020

Date of Decision: 07.10.2020

RVK Foods and Entertainment LLP

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vikram Sheoran, Advocate, for the petitioners.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Articles 226/227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of mandamus, directing respondent no.3 to decide the appeal and application for stay and desecration of the premises dated 15.06.2020 (Annexure P-3), which is pending for 08.10.2020.

Learned counsel for the petitioner submits that despite an application seeking a stay on the order/notice dated 15.01.2020 (copy Annexure P-2), the respondents are in the process of evicting the petitioners/demolishing the construction in question.

He submits that the petitioner at this stage would be satisfied if a direction is issued to the respondents to decide its application, if not the appeal itself, within a specified period of time, before which the demolition/eviction be not effected.

That being so, without making any comment on the actual

merits of the case, this petition is disposed of with a direction to the Divisional Commissioner, Karnal (respondent no.3), to take a decision on the application of the petitioner seeking a stay on the eviction/demolition in question, within a period of one month from today and till such decision is not taken, the petitioner be not evicted and the property in question be not demolished.

07.10.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No