

CWP No.25613 of 2019
Date of decision: 09.01.2020

Charanjit Singh and others	...	Petitioners
Versus		
State of Haryana and others	...	Respondents

**Coram: Hon'ble Mr. Justice Rakesh Kumar Jain
Hon'ble Mr. Justice Ashok Kumar Verma**

Present: Mr. Vinod Bhardwaj, Advocate,
for the petitioners.

Ms. Palika Monga, DAG, Haryana
for respondents No.1 to 5.

Rakesh Kumar Jain, J. (Oral)

The petitioners have prayed for the issuance of a writ in the nature of certiorari for quashing the order dated 29.08.2019 (Annexure P-3) passed by respondent No.2 by which the application for stay, filed along with revision petition, has been dismissed and further for the issuance of a writ in the nature of mandamus to direct the official respondents not to dispossess the petitioners from the land in question during the pendency of the Revision Petition bearing No. 617 of 18.07.2019.

Shorn of unnecessary details, the petitioners were ordered to be ejected from the land in question on an application filed by the Gram Panchayat under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 on 29.07.2008. The said order was challenged by the petitioners by way of a revision petition filed before the Commissioner, Ambala Division, Ambala and the revision petition was allowed on 29.04.2009. The order was set aside and the matter was remanded back to

A.C. 1st Grade, Guhla. After the remand, the A.C. 1st Grade, Guhla, had allowed the ejectment petition on 29.07.2011. The appeal filed by the petitioners was dismissed on 04.06.2019 by the Collector, Kaithal. Thereafter, the petitioners filed a revision petition on 28.06.2019 for application for stay before the Commissioner, Karnal Division, Karnal. The said application for stay was dismissed on 29.08.2019 and the case was adjourned for 31.10.2019. Thereafter, the present petition has been filed.

At the time of issuance of notice, the parties were directed to maintain status quo as it exists today on the said date. After notice, respondents No.1 to 5 has filed reply but none had put in appearance on behalf of respondent No.6. Counsel for respondent No.7 had also taken time to file reply but so far, no reply has been filed nor anybody put in appearance on his behalf.

Counsel for the petitioners has submitted that the main writ petition is now listed for 16.03.2020 before the Commissioner, Karnal, Division Karnal. He prays that till then the status quo may be extended otherwise the petitioners would be ejected from the land in dispute as the warrants of possession have already been issued.

On the other hand, counsel for respondents No.1 to 5, while contesting the petition, has submitted that the order passed by the Court below ought to be in accordance with law but she could not deny the fact that after dismissal of the stay application, the revision petition is still pending.

We have heard counsel for the parties and after going through the record, are of the considered opinion that it would be just expedient, if

the stay order granted by this Court on 12.09.2019 is extended till the revision petition is decided with one view or the other by the Revisional authority on the date already fixed i.e. 16.03.2020.

Accordingly, the revision petition is hereby disposed of with a direction to the Revisional authority, seized of the revision petition filed by the petitioners to decide the same in accordance with law, on the date already fixed i.e. 16.03.2020. Till then, status quo granted by this Court on 12.09.2019 shall continue.

[RAKESH KUMAR JAIN]
JUDGE

[ASHOK KUMAR VERMA]
JUDGE

09.01.2020

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Whether speaking / reasoned	:	Yes/No
Whether reportable	:	Yes/No