

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-10897-2021

Date of decision: 29.06.2021

(PROCEEDINGS THROUGH V.C.)

Raghunath and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

PRESENT: Mr. Arav Gupta, Advocate for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a grievance that the appeal which has been preferred by the petitioners against the order dated 31.12.2020 (Annexure P-4) passed by the Assistant Collector Ist Grade, Bahadurgarh, District Jhajjar, Haryana is not being taken up despite being filed on 29.01.2021.

What has been asserted by learned counsel for the petitioners is that efforts are being made by the respondents to dispossess the petitioners and if, the same happens, the very purpose of filing the appeal would be rendered infructuous. He, therefore, contends that either the appeal may be heard by the Appellate Authority i.e. the Collector, Jhajjar-respondent No. 4 or at least their application for stay may be

decided on 03.08.2021, which is the tentative date given by the office of respondent No. 4 for consideration of the appeal.

Prayer made by learned counsel for the petitioners appears to be justified.

On the asking of Court, Ms. Tanisha Peshawaria, DAG, Punjab, accepts notice on behalf of respondents No. 1 to 5.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with a direction to respondent No. 4-Collector, Jhajjar, to consider the application for stay as well as the appeal which has been preferred by the petitioners preferably on 03.08.2021 and take a decision on the same. In case, the appeal is not likely to be decided on the said date, efforts be made to at least decide the application for stay.

Till the decision is taken on the application for stay, status-quo with regard to possession as it exists today shall be maintained.

(AUGUSTINE GEORGE MASIH)
JUDGE

June 29, 2021
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No