

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-10908-2021

Date of decision: 29.06.2021

(PROCEEDINGS THROUGH V.C.)

Rakesh and others

..... 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. Sandeep Siwach, Advocate for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a grievance that during the pendency of suit under Section 13A of the Punjab Village Common Lands (Regulation) Act, 1961 (for short-'the Act') dated 13.10.2020 (Annexure P-2), titled as 'Rakesh and others Vs. Gram Panchayat Gwalra', the application for stay which has been preferred along with the said suit may be decided.

What has happened in the interregnum is that the Gram Panchayat is handing over the land to Forest Department for tree plantation by dis-possessing the petitioners. Learned counsel thus, contends that the petitioners at this stage would be satisfied if, a direction is issued to the Collector, Panipat-respondent No. 2, where no decision

on the application for stay is being taken despite the same having been filed along with the suit.

Notice of motion.

On the asking of Court, Ms. Tanisha Peshawaria, DAG, Punjab, accepts notice on behalf of respondents.

Without going into the merits of the case or commenting thereon, the present writ petition is disposed of with a direction to respondent No. 2-Collector, Panipat, to consider and decide the application for stay which has been preferred by the petitioners along with the suit preferred under Section 13A of the Act, dated 13.10.2020.

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

(AUGUSTINE GEORGE MASIH)
JUDGE

June 29, 2021
rishu

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No