

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 18308 of 2021

Date of Decision: 15.09.2021

Padam Singh

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Vikram Singh, Advocate
for the petitioner(s).

Mr. Tarun Walia, Assistant Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

1. It is not in dispute that an appeal along with an application for stay, filed by the petitioner, is pending before the Deputy Commissioner, Sonapat.

2. Through this writ petition, the petitioner prays for issuance of a writ in the nature of mandamus to direct the respondent No.2-Collector-cum-Deputy Commissioner, Sonapat, to decide the application for stay as well as the appeal.

3. Notice of motion.

4. On the request of the Court, Mr. Tarun Walia, Assistant Advocate General, Haryana, accepts notice on behalf of the respondents and states that the appeal is pending before the Deputy Commissioner, Sonapat on 02.11.2021.

the meantime, recovery from the petitioner be stayed. He submits that the appeal was filed on 23.08.2021, which has not been taken up for preliminary hearing.

6. Keeping in view the facts of the case, it is considered appropriate to dispose of the writ petition with liberty to the petitioner to file an application before the Deputy Commissioner, Sonapat, for considering the request for grant of interim protection in the meantime. If such an application is filed, the Deputy Commissioner, Sonapat, will consider the request sympathetically and if so required, may advance the date of hearing in the appeal.

7. With the observations made above, the present writ petition is disposed of.

(Anil Kshetarpal)
Judge

September 15, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No