

CWP No.24900 of 2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.24900 of 2021
Date of decision : 09.12.2021

Ramanand & others

.....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR JUSTICE KARAMJIT SINGH**

Present: Mr. J.P. Janghu, Advocate
for the petitioners.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a grievance that despite there being an order dated 08.09.2020 passed by the SDO (Civil) exercising the power of Assistant Collector 1st Grade, Narnaud, under the Punjab Village Common Lands (Regulation) Act, 1961, ordering eviction of respondent No.4 – Mata Fulmande Kheemnath Trust, Village Mirchpur, Tehsil Narnaund, District Hisar, no action has been taken for giving effect to the said order despite the fact that in the appeal which has been preferred by respondent No.4, there is no stay granted by the Appellate Authority.

Learned counsel for the State has sent through email, a communication received from the Deputy Commissioner, Hisar-cum-Appellate Authority, which is taken on record, according to which the next

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date of hearing before the Deputy Commissioner, Hisar-cum-Appellate Authority is 14.12.2021 for final arguments. It has been stated that the appeal will be decided after the arguments are concluded by the parties.

In the light of the above, let the Appellate Authority finalize the appeal on the date fixed i.e. 14.12.2021. However, the above mentioned note does not depict that there has been any order passed by the Appellate Authority staying the dispossession of respondent No.4 or staying the operation of the order passed by the SDO (Civil) exercising the power of Assistant Collector 1st Grade, Narnaund and therefore, the Competent Authority is required to initiate proceedings for taking possession from respondent No.4.

The writ petition stands disposed of with above observations/directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

09.12.2021
Harish

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No