

CWP No.8143 of 2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.8143 of 2022
Date of decision : 28.04.2022

Baldev Singh and others

.....Petitioners

VERSUS

State of Haryana and others

....Respondents

**CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. P.K. Ganga, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the learned counsel for the petitioners that against the order dated 12.02.2021 (Annexure P-6) passed by the Sub Divisional Officer (Civil), Ellenabad, an appeal was preferred by the petitioners before the Collector, Sirsa, along with an application for stay but no decision had been taken on the appeal or the application for stay till date. The said appeal/application is now listed for hearing on 29.04.2022. In the meanwhile, warrants of possession with police help had been ordered by the Block Development and Panchayat Officer, Ellenabad, on 24.03.2022 (Annexure P-7). He, therefore, prays that a direction may be issued to the Appellate Authority i.e. Collector, Sirsa, to consider and decide, if not the appeal then at least the application for stay, which is to come up for

CWP No.8143 of 2022

consideration tomorrow i.e. 29.04.2022.

Counsel for the State has no objection to the prayer made by the counsel for the petitioners.

In the light of the above, we dispose of the present writ petition without, going into merits of the case or commenting thereon, with direction to the Collector, Sirsa, to consider and decide the appeal and in case it is not possible to hear the appeal, then at least the application for stay on 29.04.2022 be adjudicated on the date fixed before the said authority. In case the needful cannot be done on 29.04.2022, an endeavour may be made to decide the same at the earliest and in any case, within a period of four weeks.

Status quo with regard to possession, as it exists today, shall be maintained till the decision is taken by the Appellate Authority on the application for stay.

(AUGUSTINE GEORGE MASIH)
JUDGE

28.04.2022

Harish

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No