

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

119

Civil Writ Petition No.14079 of 2022
Date of Decision: July 12th, 2022

Kashmir Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Ankur Bansal, Advocate
for the petitioners.

Ms. Monica Chhibber Sharma, Sr. Deputy Advocate General,
Punjab.

Mr. V.K. Sandhir, Advocate
for respondent No.4.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the State has filed an affidavit dated 11.07.2022 of the Under Secretary-cum-Registrar office of the Financial Commissioner, Revenue, Punjab, according to which the officer stands appointed. In paras 3 and 4, it has been stated as follows:-

“3. That it is submitted that vide order dated 27.05.2022 issued on 31.05.2022, Sh. Ramesh Kumar Ganta, Additional Chief Secretary-cum-Financial Commissioner (Appeals) has been appointed for hearing the revenue judicial cases pertaining to District SBS Nagar and three other districts. The copy of order is attached as ANNEXURE R-1.

4. That ROA 05/2021, titled as “Deva Singh (now deceased) through L.R's & ors. v/s Divisional Commissioner and ors.” was filed before the then Financial Commissioner (Appeals). The ROA was heard on 10.03.2021 and the case was admitted, and notice was issued to respondents, Record of lower court was also summoned. Copy of order is attached as ANNEXURE R-2. The case was adjourned from time to time for service of respondents. Now ROA is fixed for hearing on 16.08.2022 for consideration of service of respondents.”

In para 5, it has also been stated that the cases will be heard regularly by the officer conferred with the jurisdictional powers of the Financial Commissioner (Appeals).

In the light of the above, we dispose of the present writ petition with an observation that the Financial Commissioner (Appeals) shall make an endeavour to take a decision on the application for stay preferred by the petitioners on the date already fixed in the appeal i.e. 16.08.2022.

Status quo with regard to possession, as it exists today, shall be maintained till a decision is taken by the Financial Commissioner (Appeals) on the application for stay. However, it is clarified that in case the counsel for the petitioners does not appear before the Financial Commissioner on any date fixed for consideration of the application for stay, the interim order as has been passed by this Court shall stand vacated forthwith.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

July 12th, 2022
Puneet

**(SANDEEP MOUDGIL)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No