

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CWP-1775-2019

Date of decision: 14.11.2023

VIJENDER @ BIJENDER

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Parveen Kumar, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer made in the present petition is for seeking issuance of directions to the respondents to release the subsidy/assistance to the petitioner and his co-farmers on account of completion of the work of the farm ponds/community tank as is admissible to them.

Counsel for the respondent-State has submitted that the aforesaid prayer could not be granted to the petitioner for the reason that a stay has been ordered by this Court on 20.09.2004 in Regular Second Appeal No. 2606 of 2001 titled "*Raj Kumar etc. versus Smt. Manbai and another*" filed by a co-sharer in Khewat No.545/457, Khatoni No. 791.

Even though the aforesaid written statement had been filed on 25.03.2021, however, no rejoinder to the written statement has been

filed.

Even though, counsel for the petitioner contends that the aforesaid stay is not applicable against them, however, considering that there is no rejoinder and also the fact that if an order of status quo has been granted, the appropriate remedy for a person aggrieved is to move an appropriate application before the Court in the pending Regular Second Appeal for the modification/clarification of the order granting status quo.

Counsel for the petitioner thus seeks withdrawal of the present writ petition so as to file an appropriate application/petition for seeking the above said relief.

Counsel for the respondent-State has no objection to the same.

Disposed of as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 14, 2023

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No