

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

**CWP-6835-2023**

Date of decision: 29.03.2023

**GURMEET SINGH AND ORS.**

...Petitioners

Versus

**STATE OF HARYANA AND OTHERS**

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR  
HON'BLR MR. JUSTICE VIKRAM AGGARWAL**

Present:     Mr. Vinod Bhardwaj, Advocate and  
                 Ms. Nipun Bhardwaj, Advocate  
                 for the petitioners.

Mr. Raman Sharma, Addl. A.G., Haryana.

\*\*\*\*

**SURESHWAR THAKUR, J. (ORAL)**

1.            By filing the present writ petition under Articles 226/227 of the Constitution of India, the petitioners have shown an apprehension for theirs being dis-posessed from the disputed land, rather on the strength of an order dated 15.12.2021 (Annexure P-4) passed by the learned Assistant Collector First Grade, Guhla, in a petition cast under Section 7(2) of the Punjab Village Common Lands (Regulation) Act, 1961 (As applicable to Haryana), whereby the petitioners, respondents therein, were found to be in unauthorized possession of the petition lands, therefore, orders of eviction were made against them, by the authority concerned.

2.            Learned counsel for the petitioners submits, that they have filed a statutory appeal (Annexure P-5) before the Appellate Authority concerned, against the order (supra) and the same is pending before the learned Collector concerned. He further submits that an application for interim relief has also been preferred alongwith the appeal. In case the petitioners are dis-posessed from the disputed land, the whole purpose for

filing the statutory appeal would be rendered infructuous.

3. Notice of motion to respondents No. 1 to 4 only at this stage.
4. Mr. Raman Sharma, Addl. AG, Haryana accepts notice on behalf of respondents No. 1 to 4 and has not disputed the factum of filing the appeal. He very fairly submits that as of today, the parties may be directed to maintain status-quo during the pendency of the appeal and respondent No.2-Collector, Kaithal, be directed to decide the pending appeal in a time bound manner.
5. Since the matter is pending before the statutory Appellate Authority, therefore, it would not be appropriate for this Court to express any opinion on the merits of the case.
6. Considering the above factual aspects, it would be appropriate to issue a direction to the statutory Appellate Authority to decide the statutory appeal within a period of three months from the date of receipt of a certified copy of this order, after affording due opportunity of hearing to all the concerned, by passing a speaking order.
7. Disposed of accordingly.
8. In the meanwhile, the parties are directed to maintain status-quo regarding possession till the decision is made upon the statutory appeal by the learned Appellate Authority.

(SURESHWAR THAKUR)  
JUDGE

(VIKRAM AGGARWAL)  
JUDGE

29.03.2023  
kavneet singh

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