IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(120)

CWP-9642-2023
Date of decision: - 04.05.2023

Kartar Singh and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Parminder Singh, Advocate,
for the petitioners.

Ms. Upasana Dhawan, AAG, Haryana
for respondents No.1 to 3.

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VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned notice dated 27.04.2023 (Annexure P-6) whereby warrant of possession has been issued during the pendency of the revision petition filed by the petitioners.

2. Learned State counsel, on instructions from Mr. Sant Kumar, ADA, Office of Divisional Commissioner, Karnal has pointed out that in the present case, a revision petition alongwith stay application has been filed by the petitioners on 01.05.2023 and in the same notice of motion has been issued and the case is now listed for 16.05.2023 and the Divisional Commissioner, Karnal would consider the stay application on 16.05.2023 and pass an appropriate order on the same within a period of

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three days from 16.05.2023.

3. Learned counsel for the petitioners has submitted that the said statement satisfies the claim of the petitioners and the present writ petition be disposed of in the said terms.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to the Divisional Commissioner, Karnal to consider the stay application filed by the petitioners alongwith the revision petition dated 01.05.2023 on 16.05.2023 and to pass an appropriate order on the same within a period of three days from 16.05.2023.

5. It is made clear that this Court has not opined on the merits of the case and the Divisional Commissioner, Karnal would consider the application for stay independently, in accordance with law.

(VIKAS BAHL)
JUDGE

May 04, 2023
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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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