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

CWP-10229-2023

Date of decision:11.05.2023

RANJODH SINGH

...Petitioner

Versus

**THE COMMISSIONER EXERCISING THE POWERS UNDER THE
PUNJAB VILLAGE COMMON LAND (REGULATIONS) ACT AND
OTHERS**

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Jaideep Verma, Advocate
for the petitioner.

SURESHWAR THAKUR, J. (ORAL)

1. By filing the present writ petition under Articles 226/227 of the Constitution of India, the petitioner has shown an apprehension of his being dispossessed from the disputed land, thus on the strength of an order dated 22.09.2016, as, passed by the Collector concerned, in a petition cast under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, whereby the petitioner was found in unauthorized possession of the petition lands, thus resulting in a verdict of eviction being made against him, by the authority concerned.

2. Learned counsel for the petitioner submits, that he has filed a statutory appeal (Annexure P-1) before the Appellate Authority concerned, against the order dated 22.09.2016, and the same is pending before the learned Commissioner concerned. He further submits that an application for interim relief (Annexure P-2) has also been preferred alongwith the statutory appeal. In

case the petitioner is yet dis-possessed from the disputed land, the whole purpose of filing the statutory appeal would be rendered infructuous.

3. Notice of motion to respondents No. 1 and 2 only at this stage.

4. Mr. Athar Ahmed, DAG, Punjab accepts notice on behalf of respondents No. 1 and 2 and has not disputed the factum of filing of the apposite 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.1-Commissioner concerned, 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, by passing a speaking order, decide the statutory appeal within a period of three months from the date of receipt of a certified copy of this order, but after affording an adequate opportunity of hearing to all the concerned.

7. Disposed of accordingly.

8. In the meanwhile, the parties are directed to maintain *status-quo* regarding possession. However, the said *status-quo* shall be subject to a decision being made, on the stay application, as, pending before the learned Appellate Authority concerned.

(SURESHWAR THAKUR)
JUDGE

11.05.2023

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(KULDEEP TIWARI)
JUDGE

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