

114

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-10039-2023

Date of decision:09.05.2023

HARISH AND OTHERS

...Petitioners

Versus

FINANCIAL COMMISSIONER (PANCHAYAT) HARYANA AND OTHERS

...Respondents

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

Present: Mr. Ashish Aggarwal, Sr. Advocate with
Mr. Mukul Aggarwal, Advocate
for the petitioners.

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

SURESHWAR THAKUR, J. (ORAL)

1. A revision petition appended to the writ petition as Annexure P-7, is *subjudice*, before the learned Revisional Authority concerned, thus directed against the dismissal of the present petitioners' statutory appeal, by the learned Competent Appellate Authority concerned, thus affirming the decreeing of the Gram Panchayat's suit for declaration in respect of the disputed lands, hence by the learned Collector concerned.

2. The learned Senior counsel for the petitioners submits, that a mandamus be made, upon the learned Revisional Authority concerned, seized with Annexure P-7, to make an expeditious lawful decision thereons. The above prayer is a just prayer, and, is required to be accepted.

3. Consequently, the instant petition is allowed, and, a direction is made upon the learned Revisional Authority concerned, who is seized with

Annexure P-7, to make a lawful decision thereons, but after hearing all affected persons concerned, but positively within 3 months from today.

4. It is open to the petitioners herein to move an application before the learned Revisional Authority concerned, whereby their espoused relief, that the warrants of possession, if become drawn, and, if they become issued, to the Executing Officer concerned, that such warrants of possession, be not enforced against the estate of the petitioners, rather *subjudice* Annexure P-7, thus being lawfully granted to them. However, it is further clarified that till the petitioners cause their respective personal appearance(s) before the learned Revisional Authority concerned, on 17.05.2023, thus thereupto hence the Executing Officer concerned, may not enforce the warrants of possession against the petitioners' estate or in respect of the disputed lands.

(SURESHWAR THAKUR)
JUDGE

09.05.2023

Ithlesh

(KULDEEP TIWARI)
JUDGE

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