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

CWP-11869-2023

Date of decision: 29.05.2023

Jarnail Singh (since deceased) through his legal heir

...Petitioner

Versus

Joint Development Commissioner and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 and 2.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.1 to pass appropriate orders in the application dated 09.08.2019 (Annexure P-3) for staying the operation and execution of the impugned order dated 19.07.2019 (Annexure P-1) passed by respondent No.2 and for staying the dispossession of the petitioner from the suit land.

2. Learned counsel for the petitioner has submitted that in the appeal filed by the petitioner, the Joint Development Commissioner, vide order dated 21.08.2019 (Annexure P-5) was pleased to issue notice and till the next date of hearing, had granted status quo. It is further submitted that application has been moved by the petitioner on 24.05.2023 (Annexure P-6)

for extension of said status quo order as the said status quo order was only till 11.09.2019. It is contended that warrants of possession have been issued and has thus, prayed that respondent No.1 be directed to consider the said application dated 24.05.2023 (Annexure P-6) as expeditiously as possible.

3. Learned State Counsel has submitted that every endeavour would be made by the Joint Development Commissioner-respondent No.1 to consider application dated 24.05.2023 (Annexure P-6), if duly filed, by 01.06.2023 and appropriate orders on the same would be passed on or before the next date of hearing.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to respondent No.1 to consider application dated 24.05.2023 (Annexure P-6) and pass appropriate orders on the same on or before 01.06.2023.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1 would consider the said application independently and in accordance with law.

29.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**