

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

Date of Decision : 30.05.2023

1.

CWP-12090-2023

NAVTEJ SINGH

.....Petitioner

Versus

STATE OF HARYANA AND ORS.

....Respondents

2.

CWP-12091-2023

DALBIR

.....Petitioner

Versus

STATE OF HARYANA AND ORS.

....Respondents

3.

CWP-12095-2023

PARAMBIR

.....Petitioner

Versus

STATE OF HARYANA AND ORS.

....Respondents

4.

CWP-12097-2023

DHARAMBIR AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA AND ORS.

....Respondents

5.

CWP-12099-2023

DALBIR

.....Petitioner

Versus

STATE OF HARYANA AND ORS.Respondents

6. CWP-12101-2023

JEET PALPetitioner

Versus

STATE OF HARYANA AND ORS.Respondents

7. CWP-12102-2023

GAURAV AND ANOTHERPetitioners

Versus

STATE OF HARYANA AND ORS.Respondents

8. CWP-12104-2023

RAVINDER SINGHPetitioner

Versus

STATE OF HARYANA AND ORS.Respondents

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

Present : Mr. Vikram Singh, Advocate
for the petitioner(s) in all the cases.

SURESHWAR THAKUR, J. (Oral)

1. By filing the instant writ petitions (supra) under Articles 226/227 of the Constitution of India, the petitioner(s) herein, have shown an apprehension for theirs being dis-posessed from the disputed land, rather on the strength of separate orders passed on even date i.e. 23.05.2023, on the respective petitions, appended as Annexure P-1, in all

the writ petitions (supra), thus by the learned Collector-cum-Sub Divisional Officer (Civil), Karnal, in separate petition(s), as cast under Sections 3 and 4 read with Section 7 of the Public Premises Act, 1972 and Land (Eviction) and Rent Recovery Act, whereby the petitioner(s) herein, respondent(s) 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 petitioner(s) submits, that the petitioner(s) herein have filed separate statutory appeal(s), appended as Annexure P-2 in all the writ petitions (supra), before the Appellate Authority concerned, against the orders (supra), and the same is pending before the learned Appellate Authority concerned. In case the petitioner(s) are dis-possessed from the disputed lands, the whole purpose for filing the statutory appeal(s) would be rendered infructuous.

3. He further submits that application(s) for interim relief has also been preferred alongwith the appeals (supra) and respondent No. 2 be directed to decide the said application and till that time the operation of the impugned order(s) dated 23.05.2023 (Annexure P-1) be stayed.

3. Notice of motion to respondents No. 1 to 3 only at this stage in all the writ petitions (supra).

4. Mr. Raman Sharma, Addl. A.G., Haryana accepts notice on behalf of respondents No. 1 to 3 and has not disputed the factum of filing the appeals. He very fairly submits that as of today, the parties may be directed to maintain status-quo during the pendency of the appeals and respondent No.2-Commissioner, Karnal Division, Karnal, be directed to decide the pending appeal(s) in a time bound manner.

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(s) within a period of two 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(s) by the learned Appellate Authority.

9. A copy of this order be placed on the files of the other connected cases.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

30.05.2023

kavneet singh

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