

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

Date of Decision : 30.05.2023

1. CWP-12140-2023
BHAJAN SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

2. CWP-12141-2023
SURINDER SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

3. CWP-12143-2023
NARINDER SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

4. CWP-12146-2023
BALKAR SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

5. CWP-12161-2023
RANJIT SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

6. CWP-12162-2023

MAAN SINGH (SINCE DECEASED) THROUGH LRs.Petitioners

Versus

STATE OF PUNJAB AND ORS.Respondents

7. CWP-12165-2023

RAM SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

8. CWP-12175-2023

AMRIK SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

9. CWP-12181-2023

MOHINDER SINGHPetitioner

Versus

STATE OF PUNJAB AND ORS.Respondents

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

Present : Mr. Sandeep Kumar, Advocate
for the petitioner(s) in all the cases.

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. 11.01.2022, on the respective petitions, appended as Annexure P-3, in all the writ petitions (supra), thus by the learned District Development and Panchayat Officer-cum-Collector Kapurthala, in separate petition(s) cast under Section 4 of the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973, whereby the petitioner(s), 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-4 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-posessed 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 11.01.2022 (Annexure P-3) be stayed.

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

4. Ms. Deepali Puri, Addl. A.G., Punjab accepts notice on behalf

appeals. She 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-Joint Development Commissioner (Exercising the powers of Commissioner), Punjab, SAS Nagar, Mohali, be directed to decide the pending appeal(s) 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 decide the statutory appeal(s) within a period of three 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