

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

231

CWP-13503-2023

Date of decision: 21.11.2023

PALE RAM AND ORS.

.....Petitioners

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present : Mr. Vikram Singh, Advocate
for the petitioner.

Mr. P.P.Chahar, Sr. DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. By filing the present writ petition under Articles 226/227 of the Constitution of India, the petitioners have shown an apprehension, against theirs being dispossessed from the suit lands, on the strength of separate orders of eviction (Annexure P-1 to P-4) passed qua each of them by the learned Assistant Collector First Grade Samalkha, in a petition under cast Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, (as applicable to Haryana), whereby the petitioners were found in unauthorized possession of the petition lands, thus resulting in the orders of eviction being made against them by the authority concerned.

2. Feeling aggrieved, the petitioners preferred thereagainst separate statutory appeals before the learned Collector concerned.

Through separate orders passed on 11.04.2018 on the appeals (supra),

the Appellate Authority concerned, dismissed the same and upheld the order(s) passed by the Assistant Collector concerned.

3. Feeling dis-satisfied from the afore, the petitioners preferred a revision petition, before the learned Revisional Authority concerned. Through an order drawn, thereons on 15.06.2018 (Annexure P-9), the learned Revisional Authority, set aside the order passed by the learned Collector concerned, and directed the parties to remain present, in the Court of the Collector for further proceedings.

4. Thereafter, the learned Collector concerned through an order drawn on 12.02.2020 (Annexure P-10) dismissed the statutory appeal preferred by the petitioners.

5. Learned counsel for the petitioners submits, that being dis-satisfied from the afore, the petitioners have now filed separate revision petitions (Annexure P-11 to P-15) before the Revisional Authority concerned, against the concurrent order(s) of eviction passed against them and the same are pending before the learned Commissioner concerned. He further submits that an application for interim relief has also been preferred alongwith the said revision petitions.

6. Furthermore, he submits that respondent No. 5 had yet issued the warrants of possession (Annexure P-16). In case the petitioners are dis-possessed from the disputed lands, the whole purpose of filing the revision petitions would be rendered infructuous.

7. Notice of motion to respondents No. 1 to 5 only at this stage.

8. Mr. P.P.Chahar, Sr. DAG, Haryana accepts notice on behalf of respondents No. 1 to 5 and has not disputed the factum of

filing of the revision petition(s). He very fairly submits that as of today, the parties may be directed to maintain status-quo during the pendency of the revision petition(s) and respondent No.2- Commissioner, Karnal Range, Karnal be directed to decide the pending revisions in a time bound manner.

9. Since the matter is pending before the Revisional Authority concerned, therefore, it would not be appropriate for this Court to express any opinion on the merits of the case.

10. Considering the above factual aspects, it would be appropriate to issue a direction to the Revisional Authority concerned to, by passing a speaking order, decide the subjudice revision petition(s) (supra), thus within a period of two 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.

11. Disposed of accordingly.

12. In the meanwhile, till a decision is made on the stay application by the learned Revisional Authority concerned, thereupto the parties are directed to maintain *status quo* only in respect of the petition lands.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

21.11.2023

kavneet singh

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