

2023:PHHC:082268

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

CWP-13606-2023

Date of decision : 20.06.2023

Pirithi Singh

..... Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Jaspal Singh Guru, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Prayer is for issuance of a writ in the nature of mandamus directing the respondents to not to dispossess the petitioner from the land in question keeping in view that the revision petition preferred by the petitioner alongwith application seeking interim stay is pending with respondent No.2 and awaits adjudication.

2. Petitioner faced partition proceedings. Aggrieved by the orders, he is in appeal before respondent No.2 as per the remedy provided under the statute and in the said appeal, application for interim stay has also been preferred. On the one hand, the application as well as appeal await adjudication, whereas on the other hand on the strength of the orders impugned in the revision, the petitioner is facing threat of dispossession.

3. Counsel for the petitioner submits that in case the petitioner is dispossessed, his statutory remedy shall stand frustrate.

2023:PHHC:082268

3. In view of the aforesaid facts and in view of innocuous prayer made in the present petition, this Court finds that there is no need to issue notice to the private respondents.
4. Mr. Guru, Assistant Advocate General, Punjab on advance notice submits that the revision preferred by the petitioner shall be decided within a period of 04 weeks.
5. In view of the above, present writ petition is disposed off with the direction to respondent No.2 to decide the appeal/stay application preferred by the petitioner within a period of 04 weeks from the date of receipt of certified copy of the order. Till the stay application/appeal is decided, the parties shall maintain status quo.
6. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

20.06.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No