

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

(111)

**CWP-16208-2023
Decided on : 28.07.2023**

Kuldeep Singh

.....Petitioner(s)

Versus

Estate Office, U.T. Chandigarh and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Gautam Diwan, Advocate for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

In the present writ petition filed under Article 226/227 of the Constitution of India the petitioner seeks interim stay during the pendency of his appeal bearing No.0044/2023 (sic. 0048/2023) (Annexure P-4) pending before respondent No.2. It is stated that appeal has been filed against the sealing order dated 09.06.2023 (Annexure P-3) passed by respondent No.3 and there are no interim orders and now the same is pending for 07.08.2023.

2. Copy of the order passed by the Chief Administrator, U.T. Chandigarh-respondent No.2 dated 24.07.2023 has also been placed before us. A perusal of the same would go on to show that written arguments have also been filed by the Estate Office and the same are also appended herein as Annexure P-6. It is pointed out that there is a violation as a tower was installed at the terrace which is still existing and the said issue is also pending before the Appellate Court.

3. Keeping in view the above, we are of the considered opinion that since the premises in question are stated to be a shop-cum-flat and petitioner is also stated to be residing in the same with his family, irreparable loss and injury would be caused, if the premises are sealed during the pendency of the appeal.
4. Notice of motion.
5. Mr. Arav Gupta, Advocate accepts notice on behalf of respondent Nos.1 to 3.
6. Accordingly, the Appellate Authority is requested to decide the appeal on the next date of hearing itself or immediately thereafter expeditiously. Till the decision of the appeal, the respondents shall not give effect to the sealing order.
7. The writ petition stands disposed of with the aforesaid directions.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

28.07.2023
Naveen

Whether speaking/reasoned :	✓Yes	No
Whether Reportable :	Yes	✓No