

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

212

**CWP No.20436 of 2022
Date of Decision: 03.02.2023**

Rajmal

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Gurpreet Kaur, Advocate, for
Mr. Ravi Dutt Sharma, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana
for respondents No.1 to 3.

Mr. Bhupinder Banga, Advocate
for respondents No.4 to 7.

VIKAS BAHL, J (ORAL)

This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 13.07.2022 (Annexure P-19) passed by respondent No.2, whereby the stay order dated 23.12.2021 (Annexure P-18) was vacated by respondent No.2.

Learned counsel for the petitioner has submitted that ER No.961 dated 23.12.2021 is pending before the Divisional Commissioner and during the pendency of the same, interim order was vacated and this Court, vide order dated 09.09.2022, was pleased to order status quo regarding possession as it existed on 09.09.2022.

Both learned counsel for the petitioner as well as respondents

No.4 to 7 have submitted that the present petition be disposed of with a

direction to respondent No.2 to decide ER No.961 dated 23.12.2021 expeditiously and preferably, within a period of one month and further stated that the status quo order be continued till the said period.

Learned counsel for respondents No.4 to 7 has submitted that the continuation of the interim order should not be construed as an expression on the merits of the case and respondent No.2 should decide the petition of the petitioner independently.

Keeping in view the above facts and circumstances of the case, the present petition is disposed of with direction to respondent No.2 to decide ER No.961 dated 23.12.2021 as expeditiously as possible and preferably, within a period of one month, from the date of receipt of certified copy of the present order. The status quo order as passed on 09.09.2022 by the Coordinate Bench of this Court, would continue for the said period of one month.

It is made clear that the grant of interim order would not be construed as an expression on the merits of the case and respondent No.2 would decide the same independently in accordance with law.

03.02.2023*D.Bansal***(VIKAS BAHL)
JUDGE**

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