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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18129 of 2023
Date of decision : 21.08.2023

Ram Partap and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. P. S. Khurana, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of certiorari for quashing the impugned order dated 26.07.2023 (Annexure P-11) passed by respondent No.2 whereby application for stay of impugned order dated 07.12.2022 passed by respondent No.3 has been declined arbitrarily and without any justifiable reasons. Further prayer has been made for staying the operation of impugned order dated 07.12.2022 (Annexure P-4) passed by respondent No.3 under the provisions of Punjab Public Premises Act ordering the eviction of petitioner from the property in dispute during the pendency of present petition or in the alternative the dispossession of the petitioner from the property in question may kindly be stayed.

After arguing for some time, learned counsel for the petitioners has submitted before this Court that the appeal before respondent No.2 is pending consideration for 06.09.2023. However, the

stay application has been declined without assigning any reason. He submits that the petitioners are in possession of the property from the last more than 60 years and thus they are seriously prejudiced by the impugned order.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of the respondents-State.

After hearing learned counsel for both the parties, the present petition is disposed of with direction to respondent No.2-Director-cum-Joint Development Commissioner, SAS Nagar to take into consideration the contentions raised by learned counsel for the appellants in the appeal and decide the same in accordance with law expeditiously preferably within a period of two months from today.

(RAJESH BHARDWAJ)
JUDGE

21.08.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No