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

CWP-21826-2022 (O&M)
Date of decision:24.01.2023

RAM KISHAN

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLR MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Narender Kumar Sharma, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. A.G. Haryana

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner suffered concurrent made orders respectively from the learned Collector concerned, as well as from the designated Appellate Authority concerned. Through the above made concurrent orders, the petitioner became ordered to be evicted from the writ lands. The order as made by the learned Appellate Authority concerned, on the petitioner's appeal, bearing No.16/2009/A, became drawn on 03.03.2009. The above made concurrent orders are not, at this stage, demonstrated to be not acquiring any conclusive, and, binding effect, as the said orders are not shown to become annulled by an order drawn by the Writ Court or after the institution of a writ petition, at the instance of the aggrieved, before this Court, this Court ordering the staying of the operation of the above made concurrent orders against the petitioner.

2. In the face of conclusivity becoming acquired by the above made concurrent orders in respect of the petition lands, and, against the writ petitioner,

though it became incumbent, upon the Court of the first instance, which is the Court of the learned Collector concerned, to forthwith ensure the completest execution, and, enforcement of the above concurrent orders, but yet the Competent Authority/the learned Executing Court, has belatedly from the year 2009, inasmuch as, rather on 23.04.2021, through issuing a notice Annexure P-2, has taken to ensure the execution, and, enforcement of the above made conclusive, and, binding order.

3. However, yet the instant writ petitioner seeks the quashing of the said notice. The above asked for relief is completely mis-constituted nor also this Court can quash the said notice, as it has been issued by the learned Collector concerned, who mans the Court of the first instance, and, obviously is to ensure the completest execution, and, enforcement of the above made concurrent orders, which has stated above have acquired the completest binding, and, conclusive effect.

4. Therefore, the instant writ petition is disposed of, but as prayed for, with an opportunity to the petitioner to, if permissible under law, to institute a revision petition before the Revisional Authority to challenge the orders, as, made by the learned Appellate Authority concerned.

5. Pending miscellaneous application(s), if any, stand(s), disposed of.

(SURESHWAR THAKUR)
JUDGE

24.01.2023
Ithlesh

(KULDEEP TIWARI)
JUDGE

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