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

CWP-19189-2023

Date of Decision: September 01, 2023

Tarsem Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Kshitiz Mahipal, Advocate
for the petitioners.

Ms.Akshita Chauhan, Deputy Advocate General, Punjab.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for staying the operation of impugned partition order dated 21.03.2022 passed by Assistant Collector 1st Grade, Giddarbaha, Tehsil Gidderbaha, District Sri Muktsar Sahib (Annexure P-11) and impugned order dated 28.03.2023 passed by Collector, Sub-Division, Gidderbaha in ROR No.629 of 2023 pending before learned Financial Commissioner (Appeals), Punjab at Chandigarh in view of the fact that since the day of filing the above stated revision petition, the same has not been taken up for hearing even once and now the learned Financial Commissioner (Appeals), Punjab is not holding the Court as she has gone on deputation with the Government of India and has joined as Member Finance, Space Commission, Department of Space, Government of India. In view of the said situation, the revision petition in question is not likely to be taken up for hearing in near future as no alternative arrangement has been made by

the State of Punjab so far and the petitioners strongly apprehend that respondent No.5 is taking benefit of the situation and under the garb of the impugned orders, in connivance with the revenue officials may proceed with execution of the impugned orders dispossessing the petitioners from their land.

It has been contended by counsel for the petitioners that petitioners have already filed ROR No.629 of 2023 alongwith stay application but the same has not been heard till date.

Learned State counsel, on instructions, has submitted before this Court that on account of transfer of earlier Presiding Officer, the case of the petitioner could not be taken up. However, now the case has been entrusted to the successor and the case filed by the petitioners is fixed for hearing 12.09.2023 alongwith the stay application. It has been submitted that case of the petitioners, i.e. ROR No.629 of 2023 would be taken up on the date fixed.

In view of the submissions made by learned State counsel, the present petition is disposed of with a direction to the Presiding Officer to take up the case fixed before him on the date fixed and hear the parties through their counsel on the stay application and decide the same expeditiously in accordance with law.

Status quo would be maintained till 12.09.2023.

September 01, 2023

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No