

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

(116)

CWP-18536-2023

Decided on : 23.08.2023

Dilbag Singh & others

.....Petitioner(s)

Versus

The Advisor to the Administrator, Chandigarh Administration & 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).

Mr.Maheshinder Sidhu, Advocate
and Ms.Amrita Garg, Advocate, for respondents No.1 to 4.

G.S. Sandhawalia, J. (Oral)

In the present writ petition, filed under Articles 226/227 of the Constitution of India, counsel for the petitioners only pressed for interim relief of stay of the order dated 07.07.2023 (Annexure P-7) whereby the appeal No.0052 of 2016 had been dismissed by respondent No.2.

2. It is the case of the petitioner that a revision petition is pending for 06.09.2023 before respondent No.1 against the said order along with the application for stay. The apprehension is that in the proceedings under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (for short, the 'Act'), the matter is fixed for today regarding the notice which was issued way-back on 02.05.2016 (Annexure P-6) and it is his apprehension that the premises would be sealed. It is contended that even an application for preponement had been filed on 17.08.2023 (Annexure P-10) before the revisional authority.

3. Notice of motion.
4. Mr.Maheshinder Sidhu, Advocate and Ms.Amrita Garg, Advocate, for respondents No.1 to 4 puts in appearance.
5. Keeping in view the fact that the premises are situated in the Milk Colony, Dhanas, U.T. Chandigarh and the purpose was to have milk cattle and a dairy farming which has now been mis-utilized, we are of the considered opinion that the petitioners would be put to extreme hardship if the show cause notice issued 7 years back would be implemented at this belated stage especially keeping in view the fact that the revision petition is pending.
6. Accordingly, we dispose of the present writ petition with direction to the revisional authority to decide the stay application or the revision petition itself, expeditiously. Till a decision on the stay application is taken, the respondents shall not give effect to the notice under the Act as it would only lead to further multiplicity of the litigation. It is made clear that the observations made herein is only for the purpose of granting interim relief and we have not commented upon the merits of the controversy.
7. Writ petition stands disposed of.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

23.08.2023
Sailesh

Whether speaking/reasoned :	Yes	
Whether Reportable :		No