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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2023:PHHC:146000

CWP-7323-2023

Date of Decision: 17.11.2023

Haryana Shekhawati Brahamchari Ashram Trust/Smiti

..... Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Man Mohan, Advocate for
Mr. Jatin Hans, Advocate, for the petitioner.
Ms. Upasana Dhawan, Assistant Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to respondent No.2 to issue warrants of possession in execution petition (Annexure P-1) titled as Haryana Shekhawati Brahamchari Ashram Trust vs. Bhana Ram (deceased) through LR Ramkumar.

Notice was issued in this case and reply has already been filed.

Learned State counsel on the basis of reply filed has submitted that stay against the order was granted by the higher authority vide order dated 17.06.2014 and on account of the same, warrants of possession as prayed for by the petitioner, could not be issued and the situation will remain as such till the decision of the case by the higher authority which had granted stay.

In view of the above, it is apparent that non-issuance of warrants of possession is because of stay operating in the case. Thus, the present petition is disposed of with liberty to the petitioner to avail its remedy as and when higher authority which had granted stay, finally decides the matter.

(RAJESH BHARDWAJ)
JUDGE

17.11.2023

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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No