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

**CWP No.19349 of 2023
Date of Decision : 02.09.2023**

Satwant Kaur and another

..... Petitioners

Versus

**Financial Commissioner Revenue (Appeals)
Punjab and others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amandeep Saini, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for quashing the impugned order dated 25.08.2021 (Annexure P-1) passed by respondent No.2 vide which land under dispute has been partitioned and Sanad Taqsim dated 17.01.2022 passed by respondent No.2 illegally & arbitrarily while passing the non-speaking order approving the partition. Further prayer has been made for directing respondent No.1 to adjudicate ROR No.678/2023 filed on 30.05.2023 along with application for stay which has not been taken up for preliminary hearing till today and till then the operation of impugned order dated 25.08.2021 (Annexure P-1) and Sanad Taqsim dated 17.01.2022 (Annexure P-2) may kindly be stayed.

It has been contended by learned counsel for the petitioners that ROR No.678/2023 along with stay application was filed on 30.05.2023, however till date, the same has not been heard by respondent

No.1. He submits that the case was fixed for 01.09.2023. However, as the

Presiding Officer retired on 31.08.2023, the case again could not be heard. He submits that as the stay application has not been heard till date, the respondents-authorities are bent upon to implement the impugned order.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 &2-State.

Learned State counsel has apprised the Court that the new Presiding Officer is likely to be appointed by the State.

After hearing learned counsel for the parties, the present petition stands disposed of with a direction that the New Presiding Officer will take up the present ROR along with stay application of the petitioners within one month from the date of his joining the office and he will hear the arguments of the parties on stay application and decide the same expeditiously in accordance with law.

Parties are directed to maintain status quo with regard to the property till the date on which respondent No.1 will take up the matter and hear the parties on stay application.

(RAJESH BHARDWAJ)
JUDGE

02.09.2023

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