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

CWP-20623-2023

Date of Decision: September 20, 2023

Dinesh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Nitin Kadian, Advocate for
Mr.Yashveer Kharb, Advocate
for the petitioners.

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RAJESH BHARDWAJ, J.(ORAL)

Petitioners have approached this Court praying for issuance of a writ in the nature of mandamus restraining the contesting respondents from dispossessing the petitioners at the land in question during pendency of the appeal with stay application, dated 10.08.2023, Annexure P-4, till the decision of the stay application/appeal, as the stay application has not been heard. It is further prayed to stay the operation of the orders of Naksha Bay, Naksha Zim and Sanand Taksim, dated 26.05.2023, 12.06.2023 and 20.06.2023, Annexures P-1 to P-3.

It has been contended by counsel for the petitioners that appeal alongwith the stay application was filed by the petitioners in the month of August, 2023, however the same is not being heard and the respondent/authorities are taking action to dispossess the petitioners.

Notice of motion to official respondents only at this stage.

On asking of the Court, Ms.Upasana Dhawan, AAG, Haryana,

who is present in Court, accepts notice on behalf of the respondents/State and at the outset submits that appeal is fixed before the Divisional Commissioner, i.e. respondent No.2 (wrongly mentioned as Deputy Commissioner/Collector, District Karnal, in the memo of parties), for 19.10.2023.

In view of the above statement made by learned State counsel, the present petition is disposed of with a direction to respondent No.2, Divisional Commissioner, District Karnal, to take up the matter on 19.10.2023 and hear the stay application filed by the petitioners on that day and decide the same expeditiously in accordance with law.

September 20, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |