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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : September 22, 2023

PRATHAM SINGH @ PRITAM SINGH

-PETITIONER

V/S

STATE OF HARYANA AND OTHERS

-RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Aman Kumar, Advocate for
Mr. J.P. Jangu, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The aggrieved Gram Panchayat concerned instituted an appeal against the dis-affirmative order, as became made on its relevant motion, before the learned Collector concerned, thus before the appellate authority concerned.

2. It appears that though the said appeal is yet subjudice before the appellate authority concerned, but, the aggrieved appellant moved an application claiming an interim relief qua the equities relating to the disputed lands rather remaining not disturbed. The appellate authority concerned, on the said application claiming an interim relief, thus for ensuring that equities are not disturbed in respect of the disputed lands, thus till an adjudication is made upon the relevant statutory appeal, did as unfolded by Annexure P-6, proceed to restrain the litigants concerned from alienating the disputed lands till 08.08.2023.

3. Since the longevity of the said interim order survived only uptill 08.08.2024, but, it is not unfolded in the petition whether subsequently it became modified, varied or became made absolute. Therefore, in case the said order has been varied or has been rescinded, thereupon, the aggrieved would be not the

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Gram Panchayat concerned, but rather would be the respondent(s) in the said statutory appeal.

4. Therefore, the instant petition directed against the drawing of Annexure P-6, thus appears to be pre-mature. Even otherwise, the above made Annexure is both just and fair, as it ensures that during the pendency of the statutory appeal, the equities relating to the disputed lands rather remain(s), not disturbed.

5. For all what has been stated above, the instant petition does not warrant its being allowed. Consequently, the writ petition is dismissed. Nonetheless, the appellate authority concerned is directed to make a lawful speaking decision upon the statutory appeal concerned, but within a period of two months from today, after hearing all affected persons concerned.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

September 22, 2023
devinder

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No