

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

**CWP-21695-2023**

**Date of decision : 27.09.2023**

**Umar Deen**

**.....Petitioner**

**versus**

**State of Punjab and others**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present :- Mr. Umar Deen, petitioner in person.

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**RAJESH BHARDWAJ, J. (Oral)**

Lawyers have suspended work today.

Petitioner has approached this Court praying for issuance of directions to respondent No.2 to hear and decide the stay application which has been filed along with the main revision petition dated 01.09.2023 (Annexure P-1) under Section 16 of the Punjab Land Revenue Act challenging the partition proceedings including the Sanad Takseem dated 02.06.2023 in partition application bearing File No.27/T/4/NT being illegal and contrary to the provisions of Punjab Land Revenue Act, in a time bound manner as expeditiously as possible as the private respondents are bent upon to dispossess the petitioner from the suit land on the basis of the impugned partition proceedings, which have been already been challenged by way of filing the ROR No.1069-2023 before the Court of learned Financial Commissioner.

Petitioner has submitted that the partition proceedings of the land had been initiated in which he is the co-sharer. He has submitted that along with ROR filed under Section 16 of the Punjab Land Revenue Act, 1887 along with stay application has also been filed and the same is not

being heard as learned Financial Commissioner is not holding the Court thus, the stay application filed by the petitioner is not being heard. He submits that on one side the stay application is not being heard and on the other side, further proceedings in the partition proceedings are being initiated and thus, he is suffering an irreparable loss.

Heard. After hearing petitioner and perusing the record, the present petition is disposed of with direction to respondent No.2 to take up the appeal for hearing on the date fixed and decide the stay application after hearing the parties in accordance with law. The operation of the impugned order which is under challenge in the appeal would remain stayed till respondent No.2 hears the stay application which has been filed along with the appeal. The stay would operate till the date of hearing of the stay application. Respondent No.2 is free to pass any order as per law on the stay application after hearing learned counsel for the parties.

27.09.2023  
m. sharma

( RAJESH BHARDWAJ )  
JUDGE

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