

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24415 of 2023
Date of decision : 30.10.2023

Bakhshish Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Avtar S. Khinda, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for directing respondent No.2 to decide the stay application dated 20.02.2023 (Annexure P-4) and the appeal dated 20.02.2023 (Annexure P-3) regarding the eviction of the petitioners vide order dated 15.11.2022 passed by respondent No.3 under Section 4 of the Punjab Public Premises Act, 1973 (Annexure P-2) against the facts and evidence on the record. Further prayer has been made for staying the operation of order dated 15.11.2022 (Annexure P-2) passed by respondent No.3 in the meantime.

It has been contended by learned counsel for the petitioners that against the order of eviction, the petitioners have filed appeal along with stay application, which is pending adjudication before respondent No.2. He submits that the stay application has not been decided till date as the Court has not been held. He further submits that warrant of possession

dated 05.10.2023 has already been issued. He submits that if the stay application is not heard, the petitioners will suffer an irreparable loss.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 to 4 & 8. She submits that the appeal along with the stay application is fixed for hearing before respondent No.2 for 08.11.2023 and the same would be heard on the date fixed.

In view of the above position, the present petition stands disposed of with direction to respondent No.2-Joint Development Commissioner, Punjab to hear the stay application filed by the petitioners and decide the same in accordance with law on the date already fixed i.e. on 08.11.2023.

As it is specifically stated by learned counsel for the petitioners before this Court that warrant of possession has already been issued, so petitioners are directed to maintain status quo till then.

(RAJESH BHARDWAJ)
JUDGE

30.10.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No