

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

CWP-25325-2023

DECIDED ON:09.11.2023

SUKHWANT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. A.S. Khinda, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondent No.2 to decide the stay application dated 16.01.2023 (Annexure P-4) and the appeal dated 16.01.2023 (Annexure P-3) regarding the eviction of the petitioner vide order dated 15.11.2022 passed by respondent No.3 under Section 4 of the Punjab Public Premises Act, 1973 (Annexure P-2).

2. Without adverting to the merits of the case, learned counsel for the petitioner submits that he would be satisfied, if the authorities i.e., Appellate Authority is directed to dispose of the application as well as appeal within a time frame.

3. Considering the reasonable time, having lapsed after filing of appeal dated 16.01.2023, this Court is convinced that it should have been at least heard and if not the main appeal, the application for stay dated 16.01.2023 might have been adjudicated by now.

4. Avoiding any further comments on the working of Statutory Appellate Authority, this Court directs respondent No.2 to decide the appeal within a period of three months from receipt of a certified copy of this order with a further direction that application for stay be heard and decided on 06.12.2023 positively irrespective of the fact that the Officer may have other administrative exigency to be attended.

Petition in the aforesaid terms stands disposed of.

(SANDEEP MOUDGIL)
JUDGE

09.11.2023
Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>