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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-26884-2023

Date of decision:30.11.2023

SUBDEEN AND ORS.

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Divyam Singh, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. AG Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

1. The present petitioner instituted a suit for injunction, cast under Section 7 of The Haryana Village Common Lands (Regulation) Act, 1961, before the learned Collector concerned. Through a decision made thereons, on 19.04.2022 (Annexure P-1), the said suit became dismissed.
2. However, the aggrieved therefrom plaintiffs filed an appeal thereagainst before the learned Appellate Authority concerned. The said filed appeal before the learned Appellate Authority concerned, is stated to be yet subjudice, but an application filed within the appeal asking for staying the operation of Annexure P-1, is also stated to yet remain unadjudicated.
3. Therefore, a direction is asked to be made, upon the learned Appellate Authority concerned, to before recording a decision on the

subjudice statutory appeal before him, to make an expeditious speaking decision, upon the application asking for stay of Annexure P-1.

4. The learned State counsel does not oppose the making of a direction, upon the learned Appellate Authority concerned, to within a period of 2 weeks from today make a lawful speaking decision on the application asking for the stay of the operation of Annexure P-1.

5. In consequence, after allowing the above prayer, a direction is made, upon the learned Appellate Authority concerned, to within a period of 2 weeks from today, pass a speaking decision, upon the application seeking the staying of the operation of Annexure P-1.

6. Furthermore, the learned Appellate Authority concerned, is also directed to, within 4 months from today make a speaking decision, upon the relevant statutory appeal, but after hearing all affected persons concerned.

7. Till a decision is made on the stay application, the parties are directed to maintain status quo in respect of the disputed lands.

8. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

30.11.2023

Ithlesh

(SUDEEPTI SHARMA)
JUDGE

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