

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3107-2024
Date of decision : 12.02.2024

Sham SunderPetitioner

versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vikram Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

This petition has been filed praying for restraining the respondents from dispossessing the petitioner from the land in question during the pendency of the appeal with the stay application dated 06.02.2024 (Annexure P-3) filed by the petitioner before respondent No.2 as the stay application has not been decided and on the other hand the respondents are bent upon to take the possession of the land from the petitioner in view of the letter dated 11.01.2024 (Annexure P-4).

It has been contended by counsel for the petitioner that the appeal filed by the petitioner along with the stay application is fixed for hearing before respondent No.2-Commissioner, Ambala Division, Ambala for 20.02.2024. However, without hearing the stay application, the demolition order has already been issued only to make his appeal infructuous.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, AAG,

Haryana accepts notice on behalf of the State. She has submitted that

after issuance of notice, now the appeal is fixed for 20.02.2024 before respondent No.2.

Heard. After hearing counsel for the parties and perusing the record, it is apparent that the appeal filed by the petitioner along with the stay application is pending and fixed for 20.02.2024. However, the demolition notice has been issued. In these circumstances, the present petition is disposed of with direction to respondent No.2 to hear the stay application filed by the petitioner on the date fixed i.e. 20.02.2024 and decide the same expeditiously after hearing the parties and other concerned parties. However, *status quo as on date* would be maintained till 20.02.2024.

Copy of this order be given to the counsel for the petitioner under the signatures of Bench Secretary.

12.02.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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