

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

**CWP No.4405 of 2024
Date of Decision: 27.02.2024**

Nirmal Singh
..... Petitioner

Versus

Financial Commissioner (Revenue), Punjab and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for directing respondent No.1/Financial Commissioner (Revenue), Punjab to decide/disposed off revision petition bearing ROR-1183-2023 titled as “Nirmal Singh v/s Swaran Singh and others” fixed on 31.05.2024, expeditiously as soon as possible in a time bound manner because respondent No.2 i.e. Assistant Collector, First Grade, Dinanagar, District Gurdaspur have issued warrant of possession bearing No.107 Reader/Dated 23.01.2024 of the land involved in the partition application/revision petition, during the pendency of the revision petition and petitioner is going to suffer irreparable loss and injuries due to undue and unreasonable delay in disposal of the revision petition as well as application for staying the operation of impugned order dated 16.06.2023 (Annexure P-3) passed by the Assistant Collector, First Grade, Pathankot, District Pathankot.

Further prayer has been made for directing respondent No.1 to decide and dispose of an application dated 27.09.2023 (Annexure P-5) staying the operation of impugned order dated 16.06.2023 (Annexure P-3) till the final decision of the revision petition on merits and for directing respondent No.2 not to execute the warrant of possession dated 23.01.2024 (Annexure P-10) till the final decision of the instant writ petition.

Learned counsel for the petitioner has submitted that the revision petition filed by the petitioner is fixed for hearing before the learned Financial Commissioner i.e. respondent No.1 on 31.05.2024. He submits that without awaiting the decision of revision petition filed by the petitioner, respondent No.2 has issued the warrant of possession dated 23.01.2024. He has submitted that if the warrant of possession issued are executed, the revision petition filed by the petitioner would become infructuous and the petitioner would suffer an irreparable loss.

Notice of motion to the official respondents at this stage.

On asking of the Court, Mr. Navneet Singh, Sr. DAG, Punjab appears and accepts notice on behalf of respondents No.1 and 2-State.

On hearing learned counsel for the parties and perusing the record, it is evident that the revision petition filed by the petitioner is fixed for 31.05.2024.

In view of the above position, the present petition is disposed of with a direction to respondent No.1 i.e. Financial Commissioner (Revenue), Punjab to hear the revision petition filed by

the petitioner on the date fixed i.e. 31.05.2024 and decide the same expeditiously in accordance with law. Till the decision of revision, the warrants of possession dated 23.01.2024 shall remain stayed.

(RAJESH BHARDWAJ)
JUDGE

27.02.2024

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