

In the High Court of Punjab and Haryana at Chandigarh

[119]

CWP-5066-2024
Date of Decision: 04.03.2024

KARAM SINGH AND ANOTHER PETITIONERS

VERSUS

THE STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioners.

Mr. Maninder Singh, Sr. DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. In pursuance to the verdict of eviction becoming passed against the present petitioners by the learned Collector, Roopnagar, warrants of possession have been issued (Annexure P-4), for theirs, becoming executed against the encumbered estate.

2. Be that as it may, the learned counsel for the petitioners submits that an appeal against the order of learned Collector(Annexure P-1), has been raised before the competent appellate authority concerned, and, the said appeal is yet *subjudice*. Moreover, the learned counsel for the petitioner further submits that, despite an application becoming filed in the said appeal, asking for the staying of the operation of the impugned order (Annexure P-1), yet no decision becomes made thereon, and, yet the impugned warrants of possession becoming issued, for theirs, becoming executed against the encumbered estate.

3. It is stated at the bar by the learned Senior Deputy Advocate General, Punjab, that warrants of possession (Annexure P-4) remain

unexecuted. If so, the learned Appellate Authority concerned, seized with the relevant statutory appeal preferred against Annexure P-1, is directed to make a decision within two weeks on the application, thus, seeking stay of the operation of Annexure P-1.

4. Till a decision being made on the application (supra), thereupto, the warrants of possession may not be executed.
5. Moreover, the learned Appellate Authority concerned, is also directed to, within two months from today, make a valid speaking decision upon the relevant statutory appeal, but after hearing all affected persons concerned.
6. The instant petition is disposed of, accordingly.
7. Pending applicant(s), if any, is disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(LALIT BATRA)
JUDGE

March 04, 2024
ANJAL

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