

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

CWP-9817-2024

Date of decision: 30.04.2024

Krishan Chander

.....Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Ms. Upasana Dhawan, AAG, Haryana.

Mr. Ajit Poonia, ADA Divisional Commissioner, Hisar

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for staying the operation and implementation of the order dated 28.02.2024 (Annexure P-5) during the pendency of the Executive Appeal with stay application dated 16.04.2024 (Annexure P-6) till the decision of the stay application/Executive Appeal as the matter has been adjourned for preliminary hearing for 14.05.2024 without hearing the stay application whereas the matter is of urgent nature as the learned Deputy Commissioner has ordered to provide the police force in order to implement the above said order and if the private respondent is succeeded in his illegal design then the petitioner will suffer an irreparable loss and injury.

It has been contended by learned counsel for the petitioner that appeal alongwith stay application has been filed by the petitioner and without having been heard, the stay application is now fixed for hearing on 14.05.2024. He submits that by that time the appeal would be rendered infructuous as the respondents have already initiated the process for the execution of the impugned orders.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, Assistant Advocate General, Haryana accepts notice on behalf of the respondents-State. On instructions from Mr. Ajit Poonia, ADA Divisional Commissioner, Hisar, she has submitted that respondent No.2 holds the Court once in a month as he is having additional charges. She submits that the stay application filed by the petitioner alongwith the appeal, is pending for 14.05.2024.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.2-Commissioner, Hisar Division, Hisar, District Hisar to hear the stay application filed by the petitioner on the date fixed and decide the same expeditiously in accordance with law.

Status quo as on date shall be maintained till the decision of the stay application.

30.04.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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