

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

CWP-9964-2024

Date of Decision: 02.05.2024

Subhash Singh

..... Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ram Pal Verma, Advocate, for the petitioner.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for staying the operation of the impugned order dated 30.10.2023 (Annexure P-1) passed by learned BDPO, Badli, District Jhajjar during the pendency of the appeal with stay application dated 30.11.2023 (Annexure P-2) till the decision of the stay application as respondent No.2 did not hold the Court and on the other hand he has passed the impugned order/letter No.601/Panchayat dated 06.02.2024 (Annexure P-3) and impugned notice dated 07.03.2024 passed by respondent No.4 Tehsildar, Badli, District Jhajjar are bent upon to recover the amount in question by way of land revenue.

2. Learned counsel for the petitioner has submitted that the appeal along with the stay application filed by the petitioner is pending before respondent No.2 i.e. Deputy Commissioner-cum- Director, Panchayat and Rural Development, Jhajjar since the year 2023. He submits that however, no hearing has taken place till date. He further submits that despite the pendency of appeal as well as stay application, the respondent-authorities are proceedings against the petitioner for recovery. He submits that the action of the respondent-authorities is only to harass the petitioner and in order to make his appeal infructuous.

3. Notice of motion.
4. Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State. At the outset, on instructions from Sh. Yudhvir Singh, BDPO, Badli, she has submitted that appeal alongwith stay application filed by the petitioner is fixed for hearing on 28.05.2024 before respondent No.2 and the stay application would be decided on the date fixed.
5. After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.2 i.e. Deputy Commissioner-cum- Director, Panchayat and Rural Development, Jhajjar to decide the stay application filed along with the appeal by the petitioner on the date fixed before him i.e. on 28.05.2024 in accordance with law. Till then no coercive action shall be taken against the petitioner.

02.05.2024
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No

(RAJESH BHARDWAJ)
JUDGE