



CWP-10698-2024

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

CWP-10698-2024

Date of Decision: 08.05.2024

Dharmender Nagar and others

..... Petitioners

Versus

Assistant Collector 2nd Grade and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kamal Chaudhary, Advocate, for the petitioners.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for quashing the order dated 05.02.2018 vide which he partition was allowed (Annexure P-7) and further to direct respondent No.1 for demarcation of land and to leave the share of the petitioner as per Naksha 'K' i.e. 1 Kanal 6 Marla. Further prayer has been made to restrain the respondents from raising construction in the share of the petitioners.

2. At the outset, learned counsel for the petitioner has submitted that appeal filed by the petitioners alongwith the stay application is pending adjudication before respondent No.2 i.e. the Commissioner, Faridabad, which is fixed for hearing on 05.06.2024. He submits that till date no effective hearing has been given to the appeal and the stay application.

3. Notice of motion.

4. Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State. She has submitted 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. the

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Commissioner, Faridabad to decide the stay application filed along with the appeal by the petitioners on the date fixed before him i.e. on 05.06.2024 after hearing the parties, in accordance with law.

08.05.2024

sharmila

(RAJESH BHARDWAJ)

JUDGE

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