

2024:PHHC:101741-DB



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

LPA-1847-2024 (O&M)

Decided on : 07.08.2024

Kuldeep Singh

.....Appellant(s)

Versus

District Magistrate-cum-Deputy Commissioner, Sri Muktsar Sahib & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE MEENAKSHI I. MEHTA**

Present: Mr.R.S.Chauhan, Advocate for the appellant (s).

Mr.Shekhar Verma, Addl.A.G., Punjab.

Mr.Sherry K.Singla, Advocate, for respondent No.5.

G.S. Sandhawalia, J.(Oral)

CM-4378-LPA-2024

1. Application for condoning the delay of 93 days in filing the present appeal, is allowed, in view of the averments made in the application, duly supported by affidavit of the appellant. Delay of 93 days in filing the present appeal is hereby condoned.

2. CM stands disposed of.

LPA-1847-2024 (O&M)

3. Consideration in the present appeal, filed by the appellant-Kuldeep Singh/respondent No.5 in the writ petition, bearing CWP-7672-2024 is to the judgment dated 04.04.2024, passed in the said writ petition.

4. Apparently, the Learned Single Judge had allowed the writ petition without issuing notice to the present appellant by disposing of the writ petition, with direction that 2 months' time be given to execute the warrants of possession, if there is no legal impediment in the present case since *Sanad Takseem* had been prepared on 03.01.2022.

5. The sole grouse of the present appellant is that he had subsequently filed CWP-12193-2024 which came up for hearing on 23.05.2024 in which notice of motion was issued and the respondent No.5 herein namely Kulwant Singh was duly represented by the counsel who had lodged a caveat also. It is thus submitted that the respondents are seeking to execute the said order and have filed Contempt Petition alleging that there is non-compliance of the directions of Learned Single Judge.

6. We are of the considered opinion that since the petitioner has already been filed the writ petition, he may file appropriate application for stay in the said petition before the Learned Single Judge or file an application for modification of the order under challenge.

7. Faced with this situation, counsel for the appellant does not press the present appeal and prays for liberty to avail his alternative remedies before the Learned Single Judges.

8. Accordingly, the present appeal stands disposed of, with the above-said liberty. All pending application(s) also stand disposed of.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

07.08.2024
Sailesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No