

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

2024:PHHC:092372-DB



**(126)**

**CWP-15248-2024**

**Decided on : 23.07.2024**

Atma Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

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

Present: Mr. Sandeep Kumar, Advocate for the petitioner (s).

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**G.S. Sandhawalia, J.(Oral)**

1. The innocuous relief has been sought in present writ petition for granting of interim protection on account of the fact that the ejectment order had been passed by the respondent No.3-District Development and Panchayat Officer-cum-Collector, Moga against the petitioner on 02.01.2024(Annexure P-2). Resultantly, the ejectment application under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 came to be filed, though belatedly, but the Appellate Authority has not proceeded to decide the same. It is submitted that the Presiding Officer of the Appellate Authority was not readily available earlier and the matter had been adjourned to 17.07.2024 and same has now further been adjourned to 18.09.2024. In such circumstances, interim relief is prayed for on the ground of threat of dispossession and proceedings pending.

2. Counsel for the petitioner has submitted that the Presiding Officer of the Appellate Authority is going for some training and not readily available.

3. Notice of motion.
4. Ms. Arundhati Kulshreshtha, AAG, Punjab accepts notice on behalf respondent No.1 to 3.
5. Keeping in view the above, we dispose of the present writ petition with the directions that no coercive steps be taken against the petitioner till 30.09.2024. The Appellate Authority-respondent No.2 shall make efforts to decide the stay application or the main appeal itself on 18.09.2024 or thereafter at the earliest till 30.09.2024. It is also open to the Appellate Authority to extend the stay beyond the period prescribed, if the main case is not decided. We do not issue notice to the Gram Panchayat, in the peculiar facts and circumstances, as no useful purpose will be served and it would only delay the proceedings and would entail extra costs to the Gram Panchayat.
6. The petition stands disposed with the abovesaid observations.

**(G.S. SANDHAWALIA)**  
**JUDGE**

**(MEENAKSHI I. MEHTA)**  
**JUDGE**

**23.07.2024**  
*Naveen*

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|-----------------------------|--------|
| Whether speaking/reasoned : | Yes/No |
| Whether Reportable :        | Yes/No |