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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15326 of 2024

Decided on :09.07.2024

Gurudwara Sahib Village Baghe

.....Petitioner

VERSUS

State of Punjab and ors.

.....Respondents

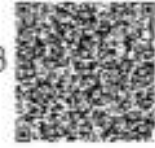
CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. SS. Aviraj, Advocate and
Mr. Kanranveer Singh, Advocate for the petitioner.
Mr. R.S. Pandher, Sr. DAG, Punjab.

LISA GILL, J (ORAL)

1 Limited prayer urged before us is that no coercive action should be taken against the petitioner till application seeking interim relief filed along with appeal preferred by the petitioner challenging order dated 03.10.2023 is considered and decided by the Competent Authority.

2 When the matter was going to be finally disposed of with a direction to the concerned authority i.e. concerned Joint Development Commissioner to decide the application for interim relief immediately within a day or two, it is brought to our notice by learned counsel for the State that concerned Officer is on training and the matter is listed for 19.07.2024. The officer is to rejoin duty on 18.07.2024. Learned counsel for the petitioner, however, submits that petitioner is sought to be dispossessed immediately by respondent authorities, thus protection should be afforded in the interregnum.



3 At this stage, we do take note of the fact that there is considerable delay in filing of appeal challenging order dated 03.10.2023, though an application for condonation of delay, it is stated, has been filed with sufficient grounds for condonation of said delay.

4 Be that as it may, it is apparent that the Competent Authority will not be able to decide the matter before 19.07.2024.

5 Keeping in view the facts and circumstances as above, it is directed that petitioner's application for interim relief filed along with appeal challenging order dated 03.10.2023 accompanied with application seeking condonation of delay, be taken up for hearing and adjudication on 19.07.2024 itself or at best within the next one week thereof. Status quo regarding possession as on today be maintained till 19.07.2024 and if application is not taken up on said date then for a week thereafter i.e. till 26.07.2024 only.

6 It is clarified that interim order granted to the petitioner in this case shall not enure beyond the said period until and unless so ordered by the Competent Authority.

7 Writ petition is disposed of accordingly.

8 There is no expression of opinion on the merits of the matter.

(LISA GILL)
JUDGE

(SUKHVINDER KAUR)
JUDGE

09.07.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No