



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.16432 of 2024
Date of Decision: 18.07.2024

Kehar Singh
...Petitioner

Versus

State of Haryana and others
...Respondents

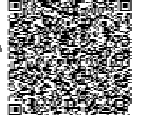
CORAM: *HOB’BLE MR. JUSTICE G.S. SANDHAWALIA*
 HON’BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Divyam Singh Dhakla, Advocate
 for the petitioner.

 Mr. Ankur Mittal, Additional A.G., Haryana with
 Mr. Saurabh Mago, D.A.G., Haryana
 for respondent No.1.

G.S. Sandhawalia, J.(Oral)

The prayer as such made in the present writ petition filed under Articles 226/227 of the Constitution of India is that the Commissioner, Karnal Division, Karnal, is not deciding the stay application as a new officer has joined as such. The case of the petitioner is that on an earlier occasion, the petitioner had approached this Court when the appeal was pending before the Collector and a similar order was passed in **CWP No.06 of 2024** on 03.01.2024 (Annexure P-3) wherein the direction was issued to decide the stay application within 15 days from the date of receipt of a certified copy of the order. The Co-ordinate Bench, at that time, has also stayed the operation of the order dated 17.11.2023 (Annexure P-1), whereby the ejectment had been directed on account of the petitioners being in illegal possession.



2. The limited prayer as sought is that during the pendency of the revision proceedings before respondent No.2-Commissioner, Karnal, the petitioner be given an interim protection as the revision-petition would be rendered infructuous, in case respondent No.6 demolishes the portion which is stated to be under dispute.

3. Notice of motion.

4. Learned State Counsel accept the notice on behalf of respondents No.1 to 5.

5. Keeping in view the limited claim, we dispose of the present writ petition with the direction to respondent No.2 that no coercive steps be taken against the petitioner for a period of 04 weeks and respondent No.4-Commissioner, Karnal Division, Karnal, shall attempt to dispose of the revision petition, which is now stated to be fixed on 25.07.2024 within the afore-stipulated period. However, it is made clear that whatever orders the Commissioner passes in the process while disposing of the said revision-petition, would then be binding upon the petitioner and the interim protection granted will, accordingly, be vacated, in case the revision-petition is dismissed. We do not issue any notice to the private respondents in the peculiar facts and circumstances of the case.

(G.S. SANDHAWALIA)
JUDGE

18.07.2024
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*