

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

2024:PHHC:141992-DB



(123)

CWP-29607-2024

Date of Decision: 29.10.2024

Mam Raj & others

--Petitioners

Versus

State of Haryana & others

--Respondents

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

Present:- Mr. Vikram Singh, Advocate for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Saurabh Mago, DAG, Haryana.

G.S. SANDHAWALIA.J (Oral)

1. Prayer in the present petition is to stay the operation of the order dated 25.07.2024 (Annexure P-1), whereby the petitioners have been ordered to be evicted by the Assistant Collector, First Class, Naraingarh. The same is passed on the ground that the appeal is pending before the Collector/respondent no.2 and the said officer did not hold the court on the earlier occasion and now the matter is fixed for 22.11.2024.

2. The urgency, which is brought to our notice is that vide communication dated 21.10.2024 (Annexure P-4), police help had been sought for today by the S.D.M., Naraingarh.

3. We have perused the zimni order, whereby matter was adjourned to 22.11.2024 by the Reader to the Deputy Commissioner.

4. Keeping in view the above, we issue notice of motion.

On the asking of Court, Ankur Mittal, Addl. A.G., Haryana
assisted by Mr. Saurabh Mago, DAG, Haryana accepts notice on behalf of

respondents no.1 to 4.

5. We are of the considered opinion that the petitioners should be given interim protection as the appeal would become infructuous. Accordingly, we dispose of the present writ petition with a direction to respondent no.2 to hear the stay application of the petitioners and pass an appropriate speaking order on the same, in accordance with law. We have not issued notice to respondents no.5 to 10, who had initiated the proceedings as the same would entail unnecessary expenses on them as they are stated to be aggrieved of the unauthorized occupation of the land in question. The said stay order shall be operational till 22.11.2024. It will be open to respondent no.2 to pass further orders keeping in view the merits of the case and dispose of the stay application, which is stated to have been filed.

6. The writ petition is, accordingly, disposed of in the above terms.

(G.S. SANDHAWALIA)
JUDGE

29.10.2024
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(MEENAKSHI I. MEHTA)
JUDGE

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