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

CRM-M-38286-2025 (O&M)
Date of decision: August 11, 2025

Gulzar Singh and another

....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Anil K. Sokal, Advocate for the petitioners.

Mr. Deepak Kumar Grewal, DAG Haryana.

Mr. Narender, Advocate and

Mr. Rinku Dhaniya, Advocate for respondents No.4 to 6.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for setting aside and quashing the impugned undated order (Annexure P-11) passed by respondent No.3, whereby, the petitioner has been ordered to vacate residential property under the *kalandra* proceedings despite the civil court proceedings pending and stay operating in favour of the petitioner.

2. During the course of hearing, learned counsel for the petitioners as also learned counsel for respondents No.4 to 6 are *ad idem* that the present petition may be disposed of by directing the concerned Sessions Court to decide the application for preponement as also the application for stay, on 08.09.2025 (the date next fixed before the said Sessions Court) or

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within 01 week thereafter. Learned counsels for the rival parties are also at liberty to file fresh application(s), if so advised, before the concerned Sessions Court.

3. Ordered accordingly.

4. The interim order dated 18.07.2025, earlier extended in favour of the petitioner, is directed to enure till the decision of the aforesaid applications for preponement and Stay, filed at the instance of the present petitioner, before the concerned Sessions Court.

5. It is made clear that this Court has not expressed any opinion on the merits of the case, which, of course, shall be ratiocinated upon by the concerned Sessions Court, in accordance with law.

6. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 11, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No