
(2011) 12 P&H CK 0102
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 24163 of 2011

Jaswant Singh alias Dhanwant Singh

APPELLANT

Vs

State of Haryana and others

RESPONDENT

Date of Decision : 22-12-2011

Acts Referred:

Punjab Village Common Lands (Regulation) Act, 1961 — Section 7, 7(1)

Citation : (2011) 12 P&H CK 0102

Hon'ble Judges : Satish Kumar Mittal, J;Paramjeet Singh, J

Bench : Division Bench

Judgement

Satish Kumar Mittal, J.—The petitioner has filed the instant petition for issuing direction to the Appellate Authority to decide his application for stay (Annexure P-9) filed along with the appeal (Annexure P-8) against the order of ejectment dated 2.6.2011 (Annexure P-7).

2. In this case, undisputedly, on an application filed by Gram Panchayat, Village Shahnal, Block and Tehsil Ratia, District Fatehabad (respondent No.4 herein) u/s 7(1) of the Punjab Village Common Lands (Regulation) Act, 1961 (As applicable to Haryana) (hereinafter referred to as 'the Act'), vide order dated 2.6.2011 (Annexure P-7), passed by the Assistant Collector Ist Grade, Ratia, the petitioner has been ordered to be evicted from the land in dispute, measuring 22 Kanals 15 Marlas. Admittedly, the appeal (Annexure P-8), filed by the petitioner against the said order is pending. Along with the appeal, the petitioner has also filed an application (Annexure P-9) for stay of his dispossession from the disputed land, which according to the petitioner has not been taken up for hearing.

3. After hearing learned counsel for the petitioner, in view of the aforesaid facts, without issuing notice of motion as it will un-necessary delay the matter, we dispose of this petition with a direction to the Appellate Authority that if the petitioner deposits the mesne profits for the use and occupation of the land in dispute at the rate of Rs. 10,000/-per acre per year, from the date of filing of application u/s 7 of the Act, within a period of 15 days from today, then his

prayer for stay be considered positively and the appeal be also decided in accordance with law, within a period of six months.

4. Copy of the order be given dasti on payment of usual charges.