

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Civil Writ Petition No.23121 of 2012  
Date of Decision: 30.11.2012

Sulleman and others ..Petitioners

Versus

The State of Haryana and others ..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA  
HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Vikram Singh, Advocate for the petitioners

Mr. D.Khanna, Additional Advocate General, Haryana  
for respondent nos. 1 to 3.

Mr. Ravinder Malik (Ravi), Advocate  
for respondent no.4.

RAJIVE BHALLA, J. (ORAL)

The petitioners pray for issuance of a writ in the nature of mandamus directing respondent no.4 not to dispossess the petitioners during pendency of their applications for restoration, filed and pending before the Collector, Yamuna Nagar, District Yamuna Nagar.

Counsel for the petitioners submits that the original petition filed by the petitioners under Section 13-A of the Punjab Village Common Lands (Regulation Act, 1961 (hereinafter referred to as "the 1961 Act"), was dismissed in default. The petitioners have filed applications for restoration of the suit for declaration but the Gram Panchayat is making an attempt to dispossess the petitioners on the basis of an eviction order passed under Section 7 of the 1961

Act. It is prayed that during pendency of the restoration applications, the dispossession of the petitioners may be stayed.

Counsel for the Gram Panchayat, on the other hand, submits that possession has been taken by the Gram Panchayat and the land is to put on auction on 3<sup>rd</sup> December, 2012.

Counsel for the petitioners, however, denies the fact that petitioners have been dispossessed and prays that their dispossession should be stayed.

We have heard counsel for the parties and dispose of the writ petition by directing respondent no.2 to consider and decide applications for restoration, within 15 days from the date of receipt of a certified copy of this order. However, during pendency of the applications for restoration, parties shall maintain status quo with respect to possession.

( RAJIVE BHALLA )  
JUDGE

30.11.2012  
VK

( REKHA MITTAL )  
JUDGE