

CWP No. 8393 of 2010

27.12.2010 Present: Mr. Karan Singh Kanwar, Advocate, for the petitioner.

Mr. R.K. Sharma, Senior Additional Advocate General, for the respondents No. 13.

Issue notices to respondents No. 1 to 12, returnable for 24th February, 2011. Notice issued to respondent No. 13 has been accepted by learned Senior Additional Advocate General. List on **24th February, 2011.**

C.M.P. No. 12525 of 2010

Notices in the aforesaid terms to respondents No. 1 to 12.

The present writ petition has been filed against the order dated 28.9.2010, passed by Divisional Commissioner, Mandi, Division, Mandi, Himachal Pradesh, as an appellate authority, whereby the Divisional Commissioner, Mandi, while hearing appeal under Section 54 of the Himachal Pradesh Holdings (Consolidation and Prevention of Fragmentation) Act, 1971, in reference to order dated 22.8.1991, passed by Additional Director, Consolidation, upheld the order dated 22.8.1991. By way of the present application, the petitioner prayed that during the pendency of this petition, the operation, implementation of order dated 28.9.2010 may be stayed because the appellate authority has considered irrelevant

points. Therefore, in these circumstances a prima facie case has been made out to stay the operation of the impugned order dated 28.9.2010. Accordingly the order dated 28.9.2010 is stayed till the pendency of the petition.

Copy Dasti.

(R.B. Misra),
Judge

(Sanjay Karol),
Judge

December 27, 2010
(KRS)