



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-18812-2026
Decided on : 05.06.2026

Amar Nath and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. D.K. Sharma, Advocate
for the petitioner

Mr. Amish Sharma, AAG Haryana

SANJAY VASHISTH, J. (Oral)

1. Petitioners- Amar Nath, aged 63 years and Hari Ram, aged 74 years have filed instant petition under Articles 226/227 of the Constitution of India for issuance of direction to respondent No. 2 – Collector-cum-Deputy Commissioner-cum- appellate authority Yamuna Nagar, to consider and decide the stay application filed by the petitioners in Appeal No. 18 FORM L/2026 titled as *Amar Nath etc. vs. Ambika Parshad etc.* which is now pending for 02.07.2026, whereas the warrant of possession is to be executed by 08.06.2026.

2. On the previous date of hearing i.e. 03.06.2026, Coordinate Bench of this Court recorded as :

“Present: Mr. D.K. Sharma, Advocate for the petitioners.

Learned counsel for the petitioners fairly submits that the appeal and the application for stay is listed today itself before the



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learned Appellate Authority and let this matter be listed for 05.06.2026 and in case, the stay application is not decided today, then only he will press for the present petition.

Ordered accordingly.

List on 05.06.2026.”

3. Since statutory right of the petitioners i.e. challenging the original order by way of filing appeal is *sub judice*, the warrant of possession, if any, issued would be kept in abeyance, until the appeal is finally decided, However, appellate authority sitting over the appeal is directed to take a final decision on the appeal itself or atleast prayer for interim stay, raised in the appeal, which is pending before it.

4. With the aforementioned observations, the present petition is disposed of.

June 05, 2026

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*Whether speaking/reasoned:
Whether Reportable:*

*Yes/No
Yes/No*

**(SANJAY VASHISTH)
JUDGE**