

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

CWP No. 14536 of 2014 (O&M)

Date of decision: 08.05.2015

Swaran Singh and others

.....Petitioners

versus

Sub-Divisional Magistrate and others

.... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Sudhir Nar, Advocate
for the petitioners.

Mr. Rajinder Goyal, Addl. AG, Punjab.

Mr. J.S. Bhandohal, Advocate
for respondent No.4-Gram Panchayat.

RAJIVE BHALLA, J. (Oral)

The petitioners pray for issuance of a writ of mandamus directing the respondents, particularly the Gram Panchayat of village Balad Kalan, Tehsil and District, Sangrur not to cancel the lease of *Shamilat Deh* land.

Counsel for the petitioners' submits that though the period of lease has expired, but as the Gram Panchayat has taken possession before expiry of the lease period, the petitioner may be granted liberty to seek redressal of this grievance.

Short reply by way of affidavit of Shri Jagtar Singh, Block Development and Panchayat Officer, Bhawanigarh on behalf of respondents No. 1 to 3, filed in Court today, is taken on record.

Counsel for the respondent No.4 submits that as the period of the lease has already expired, the present writ petition has been rendered infructuous and may be disposed of accordingly.

We have heard counsel for the parties and appraised the facts. The period of the lease has already expired. The present writ petition is, therefore, rendered infructuous. However, as counsel for the petitioners argues, though it is denied by the counsel for the Gram Panchayat, that the Gram Panchayat had taken possession before expiry of the lease period, liberty is granted to the petitioners to file an appropriate application under Section 10 A of the Punjab Village Common Land (Regulations) Act, 1961.

Disposed of accordingly.

(RAJIVE BHALLA)
JUDGE

MAY 08, 2015
Naveen

(AMOL RATTAN SINGH)
JUDGE