

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.15392 of 2014
Date of Decision: September 01, 2015

Gram Panchayat, Manawala-Khurd

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Mr.Vishal Goel, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Harpal Singh Taragarh, Advocate,
for respondent No.4.

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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?

Surya Kant, J. (Oral)

It is apparent from the contents of letter dated 24.07.2015 (P-12) of the Divisional Deputy Director, Village Development and Panchayat, Jalandhar, that firstly respondent No.4-Gram Panchayat resolved to transfer its land to a private-party but could not do so due to stay order passed by this Court. Now, respondent No.4-Gram Panchayat has started construction of shops without awaiting for apportionment of the assets between the other stake holders-Gram Panchayats.

In this view of the matter, we direct the Secretary, Rural Development and Panchayats Department, Punjab, to take necessary steps and/or entrust the assignment to the Competent Authority, if anyone else, for apportionment of assets between the concerned Gram Panchayats in accordance

with Section 3 of Punjab Panchayati Raj Act, 1994. The decision shall be taken within a period of three months from the date of receiving a certified copy of this order and after hearing the petitioner as well as respondent No.4-Gram Panchayat. We are informed that there is one more Gram Panchayat, namely, Teja Singh Wala, who too has interest in the subject property. So, Gram Panchayat Teja Singh Wala shall also be heard before passing the final order.

The apportionment of assets between the Gram Panchayats, keeping in view the well-known parameters, is very much essential to stop infighting and for carrying-out the development works. Till such orders are passed by the State Government, respondent No.4-Gram Panchayat shall not raise any construction at the disputed site.

With these directions, the writ petition stands disposed of.

Let a copy of this order be given dasti to Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, for information and necessary compliance.

[SURYA KANT]
JUDGE

September 01, 2015
mohinder

[JASPAL SINGH]
JUDGE

CM No.11418 of 2015 in
CWP No.15392 of 2014

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Gram Panchyat, Manawala Khurd vs. State of Punjab and
others

Present : Mr.Vishal Goel, Advocate,
for the applicant-petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.Harpal Singh Taragarh, Advocate,
for respondent No.4.

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For the reasons mentioned in the application, the
same is allowed subject to all just exceptions and the
document (P-12) is taken on record.

CM stands disposed of.

[SURYA KANT]
JUDGE

September 01, 2015
mohinder

[JASPAL SINGH]
JUDGE