

CWP No. 16239 of 2014

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

CWP No. 16239 of 2014

Date of decision: 20.04.2015

Satbir Singh and another

..... Petitioners

Versus

The Commissioner, Rohtak & Ors

..... Respondents

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

Present:- Mr. Mahavir Sandhu, Advocate
for the petitioners.

Mr. D.Khanna, Additional Advocate General,
Haryana.

Mr. S.P.Chahar, Advocate, for respondent No. 4.

RAJIVE BHALLA, J (ORAL).

The petitioners pray for quashing of orders annexures P-7, P-10, P-11 and P-13 dated 12.02.2001, 16.10.2006, 20.03.2012 and 31.01.2014, respectively.

Counsel for petitioners submits that the petitioners give up challenge to the orders of eviction passed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (hereinafter to be referred as 'the Act'), but liberty may be granted to file a petition under Section 13-A of the Act for adjudication of their title. Counsel for petitioners also prays that in the meanwhile their possession may

be protected.

Counsel for the Gram Panchayat submits that he has no objection to the withdrawal of the writ petition but as the Gram Panchayat has already taken possession, a stay order may not be passed in favour of the petitioners.

In response to the later argument, counsel for petitioners states that the petitioners are still in possession as their crop is standing on the disputed land.

We have heard the counsel for the parties and in view of the statement made by the counsel for petitioners, dispose of the writ petition by affirming the orders of ejectment and penalty but with liberty to the petitioners to approach the Collector, concerned under Section 13 (A) of the Act.

As regards the question of possession or stay, we direct parties to maintain status quo for a period of 2 months and in case the petitioners file an application under Section 13-A of the Act, accompanied by an application for stay, direct the Collector to decide the application for stay within 15 days of the filing of such an application.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

20.04.2015
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