

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.16735 of 2015

Date of Decision: August 13, 2015

Rajpal Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.G.S.Jagpal, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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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)

Notice of motion to respondent Nos.1 to 4 only at
this stage.

On our asking, Mr.Rajesh Bhardwaj, learned
Additional Advocate General, Punjab, accepts notice on their
behalf.

Let four copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1 to 4 or to serve respondent Nos.5 & 6 at this
stage.

The controversy pertains to auction of Gram Panchayat land measuring 7½ acres in village Ramgarh Bhullar, Tehsil Jagraon, District Ludhiana which is reserved for Scheduled Caste category only.

The petitioner claims that public auction was held on 15.07.2015 after announcement from the Gurdwara one day in advance of auction as well as in the morning of the date of auction. The petitioner was the highest bidder and the Panchayat Secretary was present at the time of auction. The petitioner is said to have deposited the auction amount of Rs.1.00 lac on the date of auction and thereafter sown Maize, fodder and Cereal crops. However, the Competent Authority, namely, the Block Development and Panchayat Officer (B.D.P.O.), Jagraon did not approve the auction and has statedly directed the Gram Panchayat to hold fresh auction today. Learned counsel informs that auction has been postponed for want of police assistance.

It further appears that auction has not been confirmed in favour of petitioner as the auction money is far less than the last year.

In these circumstances, while we cannot direct the confirmation of auction in favour of the petitioner but there shall be a direction to the B.D.P.O., Jagraon to give wide publicity to the proposed auction and obviously the petitioner shall also be entitled to participate. If the petitioner again remains the highest bidder, nothing would be required to be done except to deposit the additional amount of auction, if any. If the hammer falls in favour of someone else, the B.D.P.O., Jagraon shall obtain a report of the expenditure allegedly incurred by the petitioner on the crops said to have

been sown and such highest bidder shall be required to compensate the petitioner with that amount in advance.

Ordered accordingly.

Let a copy of this order be given dasti to Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, for information and compliance by the B.D.P.O., Jagraon.

[SURYA KANT]
JUDGE

August 13, 2015
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[JASPAL SINGH]
JUDGE