

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.18514 of 2015
Date of Decision: September 03, 2015

Gram Panchayat, Banarsi

.....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.Gopera, Advocate, for the petitioner.

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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)

The petitioner is a Gram Panchayat of village Banarsi, Block Andana, Tehsil Moonak, District Sangrur. Its grievance is against some persons who have allegedly encroached upon the Gram Panchayat land where a stadium has been constructed. The petitioner-Gram Panchayat wants to construct the boundary wall of the stadium but the unauthorized occupants are statedly not permitting to carry out such work. In this backdrop, a direction has been sought to provide police protection for the removal of encroachments.

On a query, it is not disputed that no eviction order under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 has been passed so far against the unauthorized occupiers.

In our considered view, once there is statutory remedy through summary proceedings for the eviction of unauthorized occupants of the Gram Panchayat land, the appropriate recourse for the petitioner-Gram Panchayat would be to initiate such proceedings and then to get that order executed in accordance with law.

We, thus dispose of this writ petition with liberty to the petitioner-Gram Panchayat to file eviction proceedings. We direct the Collector concerned to dispose of such eviction proceedings expeditiously and not later than four months from the date of its institution.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

September 03, 2015
mohinder

[JASPAL SINGH]
JUDGE