

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.23063 of 2015

Date of Decision: October 30, 2015

Gram Panchayat Dhadhogal

....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Dinesh Kumar, 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 2 or to serve respondent No.5 at this
stage as no order on merits is being passed to the detrimental
of his interest.

The petitioner is Gram Panchayat of village Dhadhogal, Tehsil Dhuri, District Sangrur. It is alleged that pursuant to a petition filed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, eviction order was passed against respondent No.5 on 03.07.2002 (P-2) but due to alleged collusion and connivance of the previous Sarpanch, the said order has not been executed so far. The petitioner-Gram Panchayat further claims that due to influence and pressure exerted by respondent No.5 on the authorities, the eviction order is not being given effect though warrants of possession were issued by the Executing Court on 29.07.2015 (P-3).

Having heard learned counsel for the parties, it appears to us that if the eviction order has attained finality and there is no legal impediment against its execution, it is imperative upon respondent No.2 to take the executing proceedings to their logical conclusion. If need be, it is equally obligated upon the District Administration including the police authorities to provide adequate assistance for giving effect to the order passed by a judicial or quasi-judicial forum. We say nothing more at this stage.

The writ petition is accordingly disposed of with a direction to the (i) Deputy Commissioner, Sangrur; (ii) Senior Superintendent of Police, Sangrur and (iii) the District Development and Panchayat Officer, Sangrur, to ascertain the correct facts and take necessary remedial steps as may be required in accordance with law, within a period of two months.

An affidavit of compliance shall be filed by the Deputy Commissioner, Sangrur before the Registrar Judicial of

this Court.

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

[SURYA KANT]
JUDGE

October 30, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE