

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23913 of 2015

Date of Decision:- 6.11.2015.

Devinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

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?

Present: Mr. Raj Kumar Garg, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

1.) The petitioners who are residents of village Chohla Sahib, Tehsil and District Tarn Taran were served with notices dated 26.5.2015 issued by the Court of Collector-cum-District Development and Panchayat Officer, Tarn Taran in the eviction petitions filed against them by the Gram Panchayat of their village. Vide those notices, the petitioners were directed to appear on 4.6.2015.

2.) The above stated notices are now being challenged on the premise that the eviction petition is not maintainable and the Collector has got no jurisdiction to entertain the same. It is claimed that the subject property is not being used for any common purpose,

therefore, the Gram Panchayat has no *locus standi* or authority to seek the petitioners eviction.

3.) In our considered view, all above stated pleas are available to the petitioners before the Collector. Since no order adverse to the petitioners' interest has been passed so far, we are of the considered view that the instant writ petition is not maintainable being pre-mature.

4.) Dismissed with liberty to the petitioners to take their pleas before the authority concerned.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

November 6, 2015.

sandeep sethi