

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.24922 of 2015
Date of Decision: November 30, 2015

Arvinder Singh and othersPetitioners

versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr.Jasbir Singh, Advocate, for
Mr.Ram Kumar Chauhan, Advocate for the petitioners.
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 5 only at
this stage.

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

Let five 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 hear respondent Nos.6 to 14 as no

order prejudicial to their interest is being passed on merits. It is also not necessary to obtain counter-reply from the official respondents.

The case of the petitioners is that eviction orders were passed against private-respondents in respect of the Gram Panchayat land fully described in head-note of the writ petition. Those eviction orders were upheld by this Court in CWP No.9733 of 2012 (Satranjan Singh and others versus Director, Rural Development and Panchayat, Punjab and others) decided on 06.02.2013 (P-3).

It is further alleged that though the eviction orders have attained finality, yet the Gram Panchayat has not executed the same and unauthorized occupants are still enjoying the fruits of Gram Panchayat land. The petitioners have in this regard made some representations dated 28.05.2014, nil, nil and 30.06.2015 (Annexures P-4, P-6, P-7 & P-8, respectively) but finding no response thereto, the instant writ petition has been filed.

Whether or not the eviction orders passed against private-respondents were executed, is a question of fact and it need not to be determined by this Court. Similarly, the allegations levelled by the petitioners are also disputed issues which can be effectively gone into by the Authorities. We thus dispose of this writ petition without expressing any views on the allegations or merits, with a direction to respondent Nos.3, 4 & 5 to consider the representations-cum-complaints, if any, received from the petitioners and issue necessary directions to the Gram Panchayat and/or take such action suo-moto in accordance with law. The needful shall be done within a period of four months from the date of receiving a certified copy of

this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

November 30, 2015
mohinder

[HARI PAL VERMA]
JUDGE