

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.25062 of 2015
Date of Decision: December 02, 2015

Bant SinghPetitioner

versus

State of Punjab and othersRespondents

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

Present: Mr.P.S.Jammu, 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 an unauthorized occupant of Gram Panchayat land measuring 10 marla which is adjoining to his house. The eviction order dated 03.03.2009 was passed against him under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961. Having lost appeal etc., the petitioner came to this Court in a writ petition filed in the year 2015 which was disposed of on 09.07.2015 relegating him to approach the Gram Panchayat for purchase of the land under Rule 12(1)(iv) of the Punjab Village Common Lands (Regulation) Rules, 1961. The Gram Panchayat has turned down that application vide resolution dated 27.07.2015 (P-8) which is now being impugned in the instant writ petition.

In our considered view, no writ of mandamus can be issued to compel the Gram Panchayat to sell its land to the petitioner. Only a direction to consider such claim can be

issued which remedy has already been exhausted. If at all the petitioner falls within the four-corners of the Rules relied upon by him, the appropriate recourse for him would be to approach the higher authorities under the 1961 Act.

With liberty aforementioned, the writ petition stands dismissed.

[SURYA KANT]
JUDGE

December 02, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE