

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.25300 of 2015
Date of Decision: December 04, 2015

Gurudwara Parbhandak Committee, Village Saidpur Patti.
....Petitioner

versus

State of Punjab and othersRespondents

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

Present: Mr.S.L.Chander Shekhar, 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)

One of the grievance of the petitioner-Committee is that its appeal under Section 11(2) of the Punjab Village Common Lands (Regulation) Act, 1961, has been decided by the Director, Rural Development and Panchayats, Punjab, behind the back of the petitioner and without hearing it.

It does appear that the appellate order dated 05.10.2015 has been passed after hearing counsel for the Gram Panchayat only. If the plea taken by the petitioner is substantiated by record, it appears to us that the petitioner will be well within its right to move an application before the Appellate Authority explaining the cause of its non-appearance. We are quite sure that the Appellate Authority shall, in the interest of justice, consider the petitioner's application sympathetically and if satisfied with the reasons of

non-appearance, will re-hear the appeal and shall decide the same in accordance with law.

Subject to the condition that the petitioner shall move the above-stated application within a week from today, status-quo re: possession shall be maintained till that application is decided.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]

JUDGE

December 04, 2015

mohinder

[P.B.BAJANTHRI]

JUDGE