

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.25326 of 2015
Date of Decision: December 04, 2015

Gram Panchayat Saido Ke Hithar, District Fazilka.

....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Ashok Kumar Sama, 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)

This is a strange petition in which the Gram Panchayat of village Saido Ke Hithar, District Fazilka is seeking a direction to restrain some unknown persons from taking forcible possession of the Gram Panchayat land and also to get vacated such possession from the unauthorized occupants.

Needless to say that Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 expressly empowers the Gram Panchayat to initiate summary proceedings for eviction of unauthorized occupants of the Gram Panchayat land.

In view of availability of statutory remedy and the alleged encroachers not impleaded as party-respondents, we are sure that no effective relief can be granted to the petitioner. The writ petition is disposed of relegating the petitioner to the above-stated alternative remedy. It is further

directed in the interest of justice that the Collector/Assistant Collector, 1st Grade, wherever such a petition is filed, shall take up the same on priority basis and decide expeditiously in accordance with law.

If there are some unscrupulous elements who are indulging in encroachment of Gram Panchayat land, the petitioner-Gram Panchayat would bring such instances to the notice of the District Development and Panchayat Officer, Fazilka as well as the local police, who in turn are directed to ensure that no one takes forcible possession of the Gram Panchayat land.

Ordered accordingly.

Dasti.

[SURYA KANT]

JUDGE

December 04, 2015

mohinder

[P.B.BAJANTHRI]

JUDGE