

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.3362 of 2015
Date of Decision: February 25, 2015

Kulwinder Kaur and othersPetitioners
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE RAJ MOHAN SINGH.

Present:Ms.Gagan Sharma, Advocate, for
Ms.Amandeep Soni, Advocate,
for the petitioners.

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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 3 only at
this stage.

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

Let three copies of the writ petition be supplied to
the learned 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.

Since no order prejudicial to the interest of
respondent Nos.4 to 11 is being passed, we do not deem it

necessary to call upon them and having regard to the nature of order which we propose to pass, it is also not necessary to seek counter-reply from respondent Nos.1 to 3 at this stage.

The petitioners are Sarpanch and Members of the Gram Panchayat of village Jhande, Tehsil and District Amritsar. They allege that pursuant to a petition filed in the year 1997 under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, an eviction order was passed against Gurmeet Singh, husband of respondent No.4, on 15.01.1998. His appeal against that order was dismissed on 27.07.2001. Those orders were never challenged by Gurmeet Singh and have attained finality.

It is further averred that despite Gurmeet Singh stood evicted from unauthorized possession of the Gram Panchayat land, his wife-respondent No.4 with the facit support of other private-respondents including one member of the Gram Panchayat, has now started interfering in the possession of Gram Panchayat and attempts are being made to re-take the possession. It is further averred that a compliant has been made to the Block Development and Panchayat Officer, Majitha-respondent No.3, on 27.01.2015 but he too has taken no action to prevent the encroachment.

Having heard learned counsel for the petitioners and the learned State counsel but without expressing any views on the allegations made by the petitioners, moreso when we have not heard the private-respondents at this stage, we dispose of this writ petition with a direction to the Block Development and Panchayat Officer, Majitha-respondent No.3 to verify the allegations made by the petitioners and take necessary action in accordance with law, within a period of

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one month from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 25, 2015
Mohinder

[RAJ MOHAN SINGH]
JUDGE