

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

Date of decision: 14.5.2015

(I) CWP No.3534 of 2015

Jograj and others

... Petitioners

versus

State of Punjab and others

... Respondents

(II) CWP No. 4027 of 2015

Harjinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE RAJIVE BHALLA
HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Sandeep Khunger, Advocate,
Mr.Dheeraj Mahajan, Advocate,
for the petitioners
Mr.Rajinder Goyal, Addl.AG, Punjab,
for respondent No.1.
Mr.R.P.S.Bara, Advocate,
for respondent No.4.
...

RAJIVE BHALLA, J. (Oral)

By way of this order, we shall decide CWP No.3534 of
2015 and CWP No.4027 of 2015, as they arise from the same dispute.

The facts are being taken from CWP No.3534 of 2015.

Counsel for the parties agree that as the appeal against the cancellation of the lease is pending adjudication before the Director Panchayats and Rural Development, Punjab, SAS Nagar, Mohali (exercising the powers of the Commissioner under Section 11(2) of the Punjab Village Common Lands (Regulation) Act, 1961), the question of lease money/damages and ownership of the trees existing on the land may be directed to be decided by the Commissioner while deciding the appeal.

We have heard counsel for the parties and perused the record.

The petitioners having handed over possession of the land in dispute to the Gram Panchayat and in view of agreement between counsel for the parties, the writ petitions have been rendered infructuous and are disposed of by directing the Director Panchayats and Rural Development, Punjab, SAS Nagar, Mohali, that while deciding the appeal, he shall also consider and decide the dispute relating to lease money/damages and ownership of trees stated to be growing on the land in dispute.

The petitioners shall within a week of receiving payment from the sugar mill, for sale of sugarcane, deposit the money so received with the Block Development and Panchayat Officer, Dinanagar, for disbursal, in accordance with the decision that may be taken by the Appellate Authority. Meanwhile, neither party shall fell the trees.

The appellate Authority shall decide the appeal within three months of the receipt of a certified copy of this order.

(RAJIVE BHALLA)
JUDGE

14.5.2015
pk

(AMOL RATTAN SINGH)
JUDGE