

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.5814 of 2015
Date of Decision: 11.5.2015

Sarabdeep Singh and others ..Petitioners

versus

The Gram Panchayat of Village Arno & others ..Respondents

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

Present: Mr. Dinesh Ghai, Advocate, for the petitioners.

Mr. P.S.Bajwa, Additional Advocate General,Punjab

Mr. C.L.Premy, Advocate and Ms. Jagdeep Bains,
Advocate for Gram Panchayats Gopalpur and
Palsaura.

RAJIVE BHALLA, J. (ORAL)

The petitioners challenge a mutation and an order affirming the mutation, primarily, on the premise that the land, in dispute, does not vest in the “Shamilat Deh of the village and, therefore, cannot vest in the Gram Panchayat.

We have heard counsel for the petitioners and as mutations neither vest or divest property are rather surprised at the filing of a writ petition challenging mutation proceedings, particularly when the grievance of the petitioners is that, the land, in dispute, does not vest in the Gram Panchayat. The remedy available to the petitioners, is to approach the Collector, exercising power under Section 11 of the Punjab Village Common Lands (Regulation) Act,

1961 (hereinafter referred to as “the Act”).

At this stage, counsel for the petitioners prays that the writ petition may be dismissed as withdrawn with liberty to the petitioners, to approach the Collector, exercising power under Section 11 of the Act.

In view of what has been recorded hereinabove, particularly the statement made by counsel for the petitioners, the writ petition is dismissed as withdrawn with liberty to the petitioners, to file a petition under Section 11 of the Act, if not already filed.

(RAJIVE BHALLA)
JUDGE

11.5.2015
VK

(AMOL RATTAN SINGH)
JUDGE