

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.8389 of 2015 (O&M)

Date of Decision: 21.07.2015

Ram lal

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

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?

Present:- Ms. Manpreet Kaur, Advocate for
Mr. Sandeep Arora, Advocate,
for petitioner.

Mr. Rajinder Goyal, Addl. Advocate General, Punjab,
for respondents No.1 and 2.

Mr. Vivek Chauhan, Advocate,
for respondent No.3.

RAJIVE BHALLA, J (ORAL)

The petitioner prays for issuance of a writ in the nature of prohibition, restraining the respondents from interfering in his shop located in Khasra No.52, Rect. No.18/1 in the revenue estate of village Narot Mehra, Hadbast No.201, District Pathankot.

Counsel for the petitioner submits that eviction order, dated 03.01.2014, does not pertain to the petitioner but the Gram Panchayat and the official respondents are executing warrants of possession against the

petitioner.

Short reply on behalf of the Gram Panchayat Dera, Baba Basantpuri, Tehsil and District Pathankot, filed in Court today, is taken on record.

Counsel for Gram Panchayat submits that it is true that the eviction order does not pertain to the petitioner. The Gram Panchayat has now filed an application under Sections 7 etc. of the Punjab Village Common Lands (Regulations) Act 1961 (hereinafter referred to as the '1961 Act') for eviction of the petitioner.

We have heard counsel for the parties and perused the paper book. A perusal of the eviction order reveals that the order does not relate to the petitioner. Counsel for the Gram Panchayat has fairly conceded that as on date no eviction order has been passed against the petitioner.

Consequently, the writ petition is disposed of by restraining the Gram Panchayat and the official respondents from interfering in the possession of the petitioner, except in due course of law, namely only after an eviction order is passed in the application filed by the Gram Panchayat, under Sections 7 etc. of the '1961 Act'.

(RAJIVE BHALLA)
JUDGE

(SHEKHER DHAWAN)
JUDGE

July 21, 2015
msd