

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.8846 of 2015

Date of Decision:- 03.12.2015.

Bharpur Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

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: Mr. Vikas Singh, Advocate for the petitioner.

Mr. K.K. Gupta, Additional A.G. Punjab.

Mr. Nakul Sharma, Advocate for respondent No.5.

SURYA KANT, J. (ORAL)

1.) The petitioner is a former Sarpanch of Gram Panchayat Sawaddi (West), Tehsil Jagraon, District Ludhiana. He seeks a writ of *mandamus* to direct the official respondents as well as the Gram Panchayat to take possession of the land duly vested in Gram Panchayat from such encroachers against whom Applications under Section 7 of the Punjab Village Common Lands (Regulations) Act, 1961 filed by the Gram Panchayat were allowed.

2.) Shorn of the details, the petitioner has averred out that

eviction orders Annexure P-1 to P-6 were passed at the instance of the Gram Panchayat but these orders are yet to be executed as there is a dispute regarding demarcation of the encroached area.

3.) The Gram Panchayat has filed its written statement and it has no objection if a fresh demarcation is carried out and the land to the extent it has been encroached upon is identified so that the eviction orders can be executed.

4.) In view of the unanimity among the parties, we dispose of this writ petition with a direction to the Deputy Commissioner, Ludhiana to constitute a team of Revenue Officers comprising (i) Tehsildar, (ii) Field Kanungo (iii) Halka Patwari, to carry out the demarcation after notice to the petitioner, the present Sarpanch of the Gram Panchayat as well as the alleged encroachers. The responsibility to serve notices on the concerned parties shall be that of the present Sarpanch of the Gram Panchayat. The BDPO of the area shall also monitor the demarcation, as directed above. The follow-up action regarding execution of the eviction orders shall depend upon the outcome of such demarcation. The needful shall be done by the District Administration within a period of two months.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

December 03, 2015.

sandeep sethi