

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP-1591-2016 (O&M)

Date of Decision: September 21, 2016

Joginder Singh

...Petitioner

Versus

Ramvir Singh, Deputy Commissioner, Patiala.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. G.S. Dhindsa, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Punjab,
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

CM-17069-CII-2016:

This application is for placing on record documents (Annexures P-3 to P-8).

Allowed as prayed for. The documents (Annexures P-3 to P-8) are taken on record, subject to all just exceptions.

COCP-1591-2016:

This petition is filed for the alleged disobedience of the order, dated 6.6.2016 (Annexure P-1), passed by this Court in CWP No. 3192 of 2016.

The petitioner had averred in CWP No. 3192 of 2016 that respondent No. 2 (arrayed therein) has not taken any decision on the letter, dated 8.1.2016, issued by the Government. The writ petition was disposed of with a direction to the respondent to take a decision on the legal notice.

Learned counsel for the State has submitted that, in fact, the

prayer in the legal notice of the petitioner was to initiate action against the un-authorised occupant, who has encroached upon the land belonging to the Gram Panchayat, Daun Kalan, Tehsil and District Patiala.

After obtaining instructions from Shri Sukhwinder Singh Tiwana, Block Development and Panchayat Officer, Patiala, learned counsel for the State has submitted that proceedings under Section 7 of the Punjab Village Common Land Act, 1961 (for brevity, 'the Act'), has already been initiated by the Gram Panchayat, Daun Kalan, and the said petition, numbered as 339, is pending adjudication before the Collector (District Development and Panchayat Officer), Patiala.

In view of above, the order dated 6.6.2016, passed by this Court has been duly complied with and the present petition has been rendered infructuous.

Ordered accordingly. Rule discharged.

It is, however, made clear that the authority, who is hearing the petition under Section 7 of the Act, is directed to expedite its disposal.

(RAKESH KUMAR JAIN)
JUDGE

September 21, 2016

Pk Kapoor

Whether Speaking/Reasoned:

YES / NO

Whether Reportable:

YES / NO