

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6437 of 2016

Date of Decision: September 29th, 2016

Gram Panchayat of village Burj Kahan Singh Wala, Tehsil and District
Bathinda

...Petitioner

Versus

Chiman Lal & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.S.P.Garg, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Petitioner-defendant Gram Panchayat is aggrieved of the impugned orders dated 29.11.2014 and 9.8.2016 (Annexures P-1 and P-3), whereby ad interim application filed under Order 39 Rule 1 & 2 CPC in a suit for permanent injunction has been allowed and the petitioner-defendant has been restrained from interfering in the peaceful possession of respondent-plaintiffs.

Mr.S.P.Garg, learned counsel for the petitioner-defendant submits that Gram Panchayat has already taken the measures for ejectment of the respondent-plaintiffs by filing a petition under Section 7 of the Punjab Village Common Lands Act, 1961 as applicable to the State of Punjab.

I have heard the learned counsel for the petitioner-defendant and appraised the paper book.

The impugned orders are most innocuous as the person, who is

found to be in long, continuous and settled possession, cannot be dispossessed except in due course of law. The remedy of law, as stated above, is being taken. The orders are valid till the possession is taken in accordance with law.

For the foregoing reasons, no case for interference is made out.

Revision petition stands dismissed.

Nothing observed in this order shall be construed as an expression of opinion on the merits of the case.

September 29th, 2016
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(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No