

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11120 of 2015 (O&M)

Date of Decision: 05.04.2016

Gram Panchayat Rakhra

... Petitioner

VS.

Joint Development

Commissioner, (IRD), Punjab & Ors.

... 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. NPS Mann, Advocate for petitioner

Mr. Rajesh Bhardwaj, Addl. AG Punjab

Mr. Harsh Bungar, Advocate for respondent No.3

SURYA KANT, J. (Oral)

(1) No sooner it was observed that the appellate order dated 26.03.2015 is unsustainable in law, learned counsel for respondent No.3 states that he has no objection if the impugned order is set aside and the matter is remitted to the Appellate Authority for afresh decision in accordance with law.

(2) The writ petition is accordingly allowed in part; the impugned order dated 26.03.2015 (P2) is set aside and the appellate authority under the Punjab Village Common Land (Regulations) Act, 1961 is directed to decide the same as early as possible but not later than four months from the date of receipt of a certified copy of this order.

(3) Order accordingly.

(4) It is made clear that in view of the fair stand taken by counsel for the petitioner we have not expressed any opinion least it causes prejudice to either of the parties.

(5) Parties are directed to appear before the Appellate Authority on 02.05.2016.

(Surya Kant)
Judge

05.04.2016
vishal shonkar

(P.B. Bajanthri)
Judge