

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.11132 of 2016

Date of Decision: May 30, 2016

Gram Panchayat, GTB Garh

....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM:HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.**

Present: Mr.V.K.Sandhir, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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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?

Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let five copies of the writ petition be handed-over to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage.

The petitioner is Gram Panchayat of village Guru Teg Bahadur Garh, Tehsil Bagha Purana, District Moga. Its grievance is that land measuring 60 kanal 2 marla which is *shamlat deh* is required to be auctioned under Rule 7 of the Punjab Village Common Lands (Regulation) Rules, 1964 (for short, 'the Rules') in presence of an officer like Social Education and Panchayat Officer but despite the fact that auction was initially fixed for 04.05.2016 and again for 18.05.2016, respondent No.5 did not turn up as a result of which the Gram Panchayat had to postpone the auction. It is in this backdrop that a direction is being sought to the District Administration to depute the officer so that no further delay is caused in auctioning the land.

Having heard learned counsel for the parties, we dispose of this writ petition with a direction to the Deputy Commissioner and District Development and Panchayat Officer, Moga, to ensure that one of the officer, i.e., Block Development and Panchayat officer or Social Education and Panchayat Officer remain present on the date of auction to be fixed within one week. In case the BDPO or SEPO fails to attend the auction proceedings, the Gram Panchayat is at liberty to seek revival of this petition so that appropriate direction for suspension of these officers including imposition of exemplary costs, can be issued.

Ordered accordingly.

Let a copy of this order be given dasti to Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, for information and necessary compliance.

Dasti.

**[SURYA KANT]
JUDGE**

May 30, 2016
mohinder

**[A.B.CHAUDHARI]
JUDGE**