

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.14193 of 2015
Date of Decision:-18.2.2016.

Amarjit Singh and another

.....Petitioners

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. Nandan Jindal, Advocate for the petitioners.

Mr. Rajesh Bhardwaj, Additional A.G. Punjab.

Mr. Ramesh Sharma, Advocate for respondent No.3.

SURYA KANT, J. (ORAL)

1.) The only relief sought in this writ petition is to direct the Collector-cum-DDPO, Samrala to decide the application moved by the petitioners for their impleadment in the eviction proceedings filed by Gram Panchayat of their village under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'the 1961 Act') .

2.) Shorn of the details, suffice it to observe that the Gram Panchayat has filed eviction proceedings under Section 7 of the 1961

Act against Amar Chand and Shardha Ram – the alleged unauthorized occupants over the Gram Panchayat land. The above named two persons were earlier declared owners of the suit land by a Single Judge of this Court in CWP No.3207 of 1982 decided on 12.2.1997 titled **“Amar Chand and another Vs. Punjab State and others”**.

3.) The above stated Single Judge's judgment, however, was set aside in appeal bearing LPA No.1249 of 2011 decided on 16.7.2013 titled **“Gram Panchayat, Manewal Vs. Amar Chand and others”**. Amar Chand and Shardha Ram are said to have sold their rights in favour of the petitioners even before the above stated appeal was filed.

4.) Thus, by claiming themselves to be the subsequent vendees, the petitioners sought their impleadment in the eviction proceedings filed by the Gram Panchayat against Amar Chand and Shardha Ram.

5.) Having heard learned counsel for the parties, it appears to us that irrespective of the status of the petitioners, they have a right to be heard in the eviction proceedings initiated by the Gram Panchayat against Amar Chand and Shardha Ram. This, however, does not mean that the proceedings will start *de novo*. Since the petitioners have stepped into the shoes of Amar Chand and Shardha Ram, no separate written statement is required to be filed by them and they are permitted to join the proceedings from the present

stage.

6.) It is clarified that this Court has not expressed any views on the title claimed by the petitioners.

7.) Disposed of.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

February 18, 2016.

sandeep sethi