

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 17361 of 2016 (O&M)

Date of Decision: 30.11.2016

Harpal Singh and Others

... Petitioner(s)

Versus

Block Development and Panchayat Officer, Tarsika and Another

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Mahesh Grover.
Hon'ble Mr. Justice Shekher Dhawan.**

Present: Mr. Krishan Sehajpal, Advocate
for Mr. L.M.Gulati, Advocate
for the petitioner(s).

Mr. Gaurav Garg Dhuriwala, Deputy Advocate
General, Punjab for respondent No.1.

Mr. Jagjeet Singh, Advocate
for Mr. N.P.S.Mann, Advocate
for respondent No.2.

Mahesh Grover, J.

CM-15109-CWP-2016

Application is allowed, as prayed for.

Reply filed by way of affidavit of Sandeep Malhotra, Block
Development and Panchayat Officer, Block Tarsika, District Amritsar
(respondent No.1) is taken on record.

CWP-17361-2016

The writ petitioners impugned Annexure P6 dated 28.7.2016,
which is a communication addressed by respondent No.1-Block
Development and Panchayat Officer, Tarsika to the Sub Divisional

Magistrate, Baba Bakala stating that resolution dated 20.7.2016 has been submitted to him by the Gram Panchayat of village Dharmu Chak with regard to illegal possession of the petitioners. The proceedings are pending before the Deputy Director, Jalandhar and till the time the matter is not determined, proceedings under Section 145 IPC be taken. Reply has been filed by the official respondent to contend that subsequent to this, the Sub Divisional Magistrate has declined the said prayer.

In this view of the matter, when the effect of Annexure P6, which was the cause of grievance of the petitioners, stands remedied by the rejection of the prayer by the Sub Divisional Magistrate, we are of the opinion that the instant writ petition has been rendered infructuous and the same is dismissed as such, leaving the petitioners to avail their remedy under the law.

(Mahesh Grover)
Judge

(Shekher Dhawan)
Judge

November 30, 2016

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No