

**HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.27544 of 2015 (O&M)

Date of Decision: 06.01.2016

BS Randhawa

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. Ritesh Pandey, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner is an elected Panch of Gram Panchayat of village Kaler Khurd, Block Dhariwal, District Gurdaspur. His grievance is that the district administration has allegedly failed to take action for the removal of encroachments made on the Gram Panchayat land. He has pointed out that BDPO, Dhariwal wrote to Tehsildar, Gurdaspur way back in 2013 to carry out demarcation but nothing has been done so far.

(2) Having heard learned counsel for the petitioner, we are of the considered view that the Gram Panchayat has got an effective alternative remedy to initiate eviction proceedings against the encroachers under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 and in those proceedings, if need be, the Revenue authorities shall have to carry out the demarcation also.

(3) We thus dispose of this writ petition with liberty to the Gram Panchayat to initiate such proceedings at the earliest. It is directed that if the Gram Panchayat files such a petition, the Assistant Collector 1st Grade, Gurdaspur shall make an endeavour to decide the same within six months from the date of filing of such petition.

(4) Disposed of.

(Surya Kant)
Judge

06.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge