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

CWP No.2838 of 2016

Date of decision: April 25, 2016

Jagroop Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Aditya Jain, Advocate
for the petitioner.

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)

The petitioner is aggrieved by the orders dated 08.05.2008, 15.10.2010, 22.07.2014 and 14.10.2015 passed by one or the other Authority under the Punjab Village Common Lands (Regulations) Act, 1961 ('Act' for short). Vide these orders, petitioner's ownership claim qua the suit land was rejected and the land in dispute has been declared to have vested in the Gram Panchayat. Besides the declaration of ownership in exercise of the powers under Section 11 of the Act, the eviction order under Section 7 has also been passed against the petitioner. The two sets of orders have been clubbed together and challenged in the instant writ petition.

It may be seen from the revenue record referred to by the authorities that the subject land is recorded under the ownership of *Jumla Mushtarka Malkan*. The management and control of such land vests in the Gram Panchayat under Section 23-A read with Section 42-A of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948. In the civil suit filed by the petitioner, a finding is come that the land was taken by him on payment of *chakota*, hence, his claim of ownership as a proprietor of the village, stands belied. It has further come on record that the subject land is reserved for the School campus and is thus, meant for a common purpose of the village. The finding returned by the authorities that such like land reserved or utilised for common purposes vest in Gram Panchayat, calls for no interference.

Dismissed.

[SURYA KANT]
JUDGE

[A.B. CHAUDHARI]
JUDGE

April 25, 2016
mahavir