

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.3946 of 2016
Date of Decision: February 27, 2016

Charanjit Singh and othersPetitioners
versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.S.S.Salar, Advocate, for the petitioners
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

-. -

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 to respondent Nos.1 to 3 only at
this stage.

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

Let three copies of the writ petition be supplied to
the 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

respondent Nos.1 to 3 or to serve respondent No.4 at this stage as no order on merits prejudicial to its interest is being passed.

This Court vide order dated 30.10.2015 passed in CWP No.23005 of 2015 (Gram Panchayat, Dhadhogal versus State of Punjab and others) directed the Deputy Commissioner, Sangrur and authorities from the Department of Development and Panchayat to take necessary steps for the removal of encroachments from the Gram Panchayat land. In compliance to that order, the B.D.P.O., Dhuri has issued warrants of possession against those who have been found to be in illegal occupation of the Gram Panchayat land. The petitioners are also amongst those against whom warrants of possession have been issued.

The petitioners have two-fold grievances. Firstly, they say that they have not been heard before issuing the warrants of possession and secondly, they claim to have purchased the subject-land from the Gram Panchayat.

In our considered view, it is not necessary for this Court to go into the second issue as the legality of alleged sale can be examined by the authorities in the Development and Panchayat Department after giving an opportunity of hearing to the petitioners.

We thus dispose of this writ petition with a direction to the B.D.P.O., Dhuri and D.D.P.O., Sangrur to give one opportunity of hearing to the petitioners within a period of two weeks and take the final decision within one month thereafter.

Till such time, status-quo re: demolition be maintained. However, the petitioners shall not raise any further

CWP No.3946 of 2016

[3]

construction at the disputed sites.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 27, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE