

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4099 of 2016 (O&M)

Date of Decision: 26.05.2016

Gurbakash Kaur & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

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

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. MS Longia, Advocate for the petitioners

Mr. Rajesh Bhardwaj, Addl. AG Punjab

Mr. Munish Gupta, Advocate for respondents No.6 to 8

SURYA KANT, J. (Oral)

(1) The petitioners are residents of village Macchiana, Block Rurka Kalan, Tehsil Phillaur, District Jalandhar. They have laid challenge to the order dated 05.10.2015 (P15) passed by respondent No.2, namely, the Appellate Authority under the Punjab Village Common Land (Regulations) Act, 1961 whereby certain directions have been issued for regularization of houses constructed by private respondents on the allotted plots. The plea taken is that over and above the houses, the private respondents are also in unauthorized possession of the vacant land.

(2) In view of the categorical stand taken by respondent No.6 to 8 to the effect that they have removed unauthorized possession from the vacant land, the instant writ petition is disposed of as infructuous but with a direction to the Deputy Commissioner, Jalandhar and the DDPO, Jalandhar to ascertain the correct facts and if it is found that the private respondents have completely removed the unauthorized possession from the vacant land,

then only their claim regarding regularization of the existing structures constructed before 2007 shall be considered in accordance with the Government policy.

(3) The order of the appellate authority stands modified in above terms.

(4) Let the needful be done within three months from the date of receipt of a certified copy of this order.

(5) Disposed of accordingly.

(Surya Kant)
Judge

26.05.2016
vishal shonkar

(A.B. Chaudhari)
Judge