

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.4247 of 2016

Date of Decision: March 03, 2016

Gram Panchayat, Shahpur Kalan

....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present: Mr.Dinesh Kumar, Advocate, for the petitioner.
Mr.Manoj Bajaj, Additional AG, Punjab.

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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 4 only at
this stage.

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

Let four 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 4 or to serve respondent Nos.5 to 10 at
this stage as no order on merits prejudicial to their interest is
being passed.

The petitioner is the Gram Panchayat of village Shahpur Kalan, Tehsil Sunam, District Sangrur. It seeks a direction to the District Administration to give effect to the eviction orders dated 24.02.2015 (P-1) and 04.08.2015 (P-2) passed against the private-respondents for which even warrants of possession have been issued on 03.06.2015 and 01.10.2015. In sum and substance, the claim of the Gram Panchayat is that its eviction petition filed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 was accepted and eviction orders were passed against respondent Nos.5 to 10. It is further averred that as per the knowledge of the Gram Panchayat, no appeal has been filed by respondent Nos.5 to 10 and the eviction orders have attained finality. It is further averred that warrants of possession were issued to execute the eviction orders but no further action is being taken by the Tehsildar, Sunam-respondent No.4.

Having regard to the above-stated averments and the nature of relief sought in this writ petition, we dispose of the same with a direction to the Deputy Commissioner, Sangrur and the Tehsildar, Sunam that if the eviction orders have attained finality and there is no other legal impediment against execution thereof, let these orders be given effect in accordance with law, within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

[P.B.BAJANTHRI]
JUDGE

March 03, 2016
mohinder