

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

**CWP No.494 of 2016 (O&M)
Date of Decision: 12.01.2016**

Nazir Chand & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

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

- 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. Rupinder K Thind, Advocate for the petitioners

Mr. KK Gupta, Addl. AG Punjab

SURYA KANT, J. (Oral)

(1) Notice of motion. On our asking, Mr. KK Gupta, Addl. AG Punjab accepts notice on behalf of respondents No.1 to 4. Since no order prejudicial to the interest of respondents No.5 to 12 is being passed, there is no necessity to issue notice to those respondents and call upon other respondents to file their reply/affidavit at this stage.

(2) The petitioners claim to have taken the Gram Panchayat land on annual lease through an open auction which was conducted on 16.06.2015 (wrongly mentioned as 31.10.2015). However, the possession of the subject-land has not been delivered to them so far as the previous lessees have not vacated the same.

(3) Since we have not called upon the private respondents, we do not express any opinion on the legality of the public auction

said to have been conducted by Gram Panchayat. However, if it is found that the auction was conducted in a transparent manner and in accordance with law and yet the highest bidders have not been given possession of the leased land, in that event, intervention of District Administration would be required. The writ petition is disposed of with a direction to respondents No.2 to 3 to hold a fact-finding enquiry and take an appropriate decision within two months.

(4) Ordered accordingly.

(5) Let a **dasti** copy of this order be handed over to Mr. KK Gupta, Addl. AG Punjab for information and necessary compliance.

(Surya Kant)
Judge

12.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge