

111

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

CWP No.7095 of 2016

Date of decision: April 21, 2016

The Gram Panchayat Khanwala

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

**Present: Mr. Sarabjit Singh Sidhu, 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 Gram Panchayat seeks a direction to the official respondents to use their official force to evict respondents No.11 and 12 who are alleged to have encroached upon a part of the village pond.

In our considered view, no such direction can be issued as respondents No.11 and 12 are liable to be evicted by following the due procedure of law. No eviction order has been passed against them till date. The Gram Panchayat is fully competent to seek eviction of respondents No.11 and 12 through summary proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961.

We thus, dispose of this writ petition with liberty

to the Gram Panchayat to initiate such proceedings in the Court of Collector. It is directed that if such a petition is filed, the Collector shall decide the same expeditiously and in accordance with the principles of natural justice, preferably within a period of six months.

**[SURYA KANT]
JUDGE**

**[A.B. CHAUDHARI]
JUDGE**

April 21, 2016
mahavir