

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

**CWP No.715 of 2016 (O&M)
Date of Decision: 14.01.2016**

Ranjit Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

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

Present: Ms. Naiya Gill, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The grievance of the petitioner in the instant writ petition is against initiation of the eviction proceedings against him by the Gram Panchayat second time under Section 7 of the Punjab Village Common Land (Regulations) Act, 1961. It is urged that earlier also eviction petition on identical facts and circumstances was filed which was dismissed.

(2) In our considered view, the question as to whether or not the second eviction petition under Section 7 is maintainable in identical facts and circumstances can be effectively raised by the petitioner as a preliminary issue before the Collector, Kapurthala who is directed to consider and decide the same in accordance with law. Similarly, the petitioner shall be at liberty to raise other pleas as well which shall be gone into by the Collector, in accordance with law.

(3) Ordered accordingly.

**(Surya Kant)
Judge**

14.01.2016
vishal shonkar

**(P.B. Bajanthri)
Judge**