

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

**Date of decision:07.02.2017**

Ranbir Singh Panch

.....Petitioner

vs

Pardeep Kumar Sabarwal,IAS and others

.....Respondents

**CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH**

Present:- Mr.RS Chauhan,Advocate for the petitioner.

Mr.Anant Kataria,DAG Punjab for official respondents.

**Jaswant Singh,J(Oral)**

The dispute raised in CWP 19329/2014 was regarding proprietary and possessory rights in respect of land measuring 28K7M situated in the revenue estate of Village Bhhattiwal,Hadbast no.43,Tehsil Batala, District, Gurdaspur between the residents of the village and Gram Panchayat. This Court vide order dated 7.12.2015(P-1) in order to amicably settle the matter, keeping in view the pending litigation since 1985,succeeded to persuade the petitiones to accept 1/3<sup>rd</sup> of the land while the remaining 2/3<sup>rd</sup> was proposed to vest in the Gram Panchayat for the welfare of the entire village community. Both sides conceded to the proposal put forth by the Court and filed consent affidavits to that effect. Accordingly, the Deputy Commissioner,Gurdaspur was directed to depute a team to be headed by Naib Tehsildar,Sri Hargobindpur to carry out the demarcation at the spot which was to be accepted by both sides. The needful was to be done within one month and respective possession was ordered to be delivered notwithstanding the crops sown on the disputed land. It was further directed that thereafter all pending cases shall stand withdrawn by both the parties having been rendered infructuous.

In the present contempt it is alleged that order 7.12.2015(P-1) passed by this Court in CWP 19329/2014 still remains to be complied with.

Upon notice, reply by way of affidavit of Pardeep Kumar Sabharwal,IAS,DC Gurdaspur-respondent no.1 has been filed stating

therein that after receipt of order dated 7.12.2015, vide speaking order dated

5.3.2016 a team consisting of Naib Tehsildar,Srihargobindpur, Kanungo Circle Ghoman and Patwari Circle Ghoman was constituted to visit the spot, carry out demarcation at the spot and deliver the respective possession. The said team visited the spot on 4.2.2016 and after demarcation handed over respective possession to the satisfaction of both sides. At that time no dispute or objection was raised by either side and possessions were accordingly transferred. It is thus averred that order dated 7.12.2015(P-1) stands fully complied with.

To the same effect is the affidavit of Shiri Ram Anand, Naib Tehsildar, Sri Hargobindpur,Tehsil Batala-respondent no.4.

After hearing the learned counsel for the parties and perusing the affidavits filed on behalf of respondents, in my opinion, substantial compliance of the order dated 7.12.2015(P-1) has been made.

At this stage,learned counsel for the petitioner seeks permission to withdraw the petition to enable the petitioner to seek appropriate remedy,if so advised, in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

07.02.2017  
joshi

(Jaswant Singh)  
Judge

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|-------------------------------|--------|
| Whether speaking/<br>reasoned | Yes/No |
| Whether Reportable:           | Yes/No |