

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.1495 of 2014 (O&M)

Date of decision: 12.05.2017

Sukhwinder Singh

... Petitioner

Vs.

District Development and Panchayat Officer and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Jatinder Singla, Advocate
for the petitioner.

Mr. Varun Jain, Advocate for
Mr. J.K. Singla, Advocate
for respondent No.2.

Mr. R.S. Chauhan, Advocate
for respondents No.3 & 4.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the impugned order dated 03.12.2013 passed by the Collector, Sangrur, whereby respondents No.3 and 4 were impleaded as party-respondents in the ejectment petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'Act of 1961') (Annexure P-1) filed by the respondent-Gram Panchayat against the petitioner, he has approached this Court by way of instant revision petition filed under Article 227 of the Constitution of India, for setting aside the impugned order.

Notice of motion was issued and in the meantime, operation of the impugned order was stayed.

Heard learned counsel for the parties.

It has gone undisputed before this Court that after filing of the ejectment petition (Annexure P-1) by the respondent-Gram Panchayat, petitioner himself came to be elected as Sarpanch of the respondent-Gram Panchayat. So far as the impugned order dated 03.12.2013 is concerned, it being a non-speaking and cryptic one, cannot be sustained. Further, respondents No.3 and 4 were neither proper nor necessary parties to the ejectment petition under Section 7 of the Act of 1961.

Keeping in view the changed circumstances noticed hereinabove and with the consent of learned counsel for the parties, instant revision petition is disposed of, with a direction to the Block Development and Panchayat Officer, Malerkotla either I or II, whosoever is the concerned officer for the village of the petitioner that he shall pursue the ejectment petition filed by the respondent-Gram Panchayat against the petitioner under Section 7 of the Act of 1961, vide Annexure P-1.

It is also made clear that whatever shall be the expenses incurred on the litigation filed on behalf of the Gram Panchayat, shall be spent by the Block Development and Panchayat Officer out of the Panchayat fund. The competent authority, before whom the ejectment petition is pending, is directed to decide the same expeditiously, in accordance with law.

With the abovesaid observations made and directions issued, present revision petition stands disposed of.

[RAMESHWAR SINGH MALIK]
JUDGE

12.05.2017
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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No