

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

CR No. 6841 of 2017 (O&M)

Date of Decision: 04.10.2017

GRAM PANCHAYAT

-PETITIONER

VS

GIRDHARI

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashok Kaushik, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner-Gram Panchayat has filed the present revision petition against the orders passed by the Courts below in an application under Order 39 Rules 1 and 2 CPC.

Plaintiff was a lessee under the Gram Panchayat. The lease was given in respect of a pound for a period of 5 years till 25.05.2018.

Both the Courts below have granted temporary injunction in favour of the plaintiff-respondent thereby restraining the Gram Panchayat from dis-possessing the plaintiff during pendency of the suit.

Learned counsel for the petitioner admits that till date, no proceedings in terms of Section 10-A of the Punjab Village Common Lands (Regulation) Act, 1961 have been

initiated by the Gram Panchayat for cancellation or varying the terms and conditions of the lease.

Learned counsel seeks indulgence of this Court to the extent that in the event of filing petition under Section 10-A of the Act, the impugned orders passed by the Courts below may not create any impediment in those proceedings. The suit filed by the plaintiff is for permanent injunction. The scope of the suit is only to evict the plaintiff-respondent in accordance with law.

This revision petition is disposed of with a clarification that in the event of filing any petition in terms of Section 10-A of Punjab Village Common Lands (Regulation) Act, 1961, the same shall be decided in accordance with law without being influenced by any observations made by the Courts in the pending suit.

04.10.2017

jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No