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

**CWP-11846-2014 (O&M)
Date of decision : 20.04.2017**

Harnek Singh

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: None for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. R.S. Ghuman, Advocate
for the Gram Panchayat, Behlopur.

AMIT RAWAL, J. (ORAL)

The grievance of the petitioner in the present writ petition is for quashing of the order (copy not supplied) vide which the directions issued given to the respondents in the orders dated 08.08.2013 passed by this Court (Annexure P-2) are not being carried out in its letters and and spirits.

The specific case of the petitioner in the present writ petition is that the petitioner belongs to the reserve category (SC/ST) being illiterate villager, who submitted a representation 07.03.2013 (Annexure P-1), which has allegedly been decided on 08.08.2013, but in compliance of the orders, had submitted a representation dated 12.09.2013 (Annexure P-3) to respondent No.1. Despite several visits to the office of respondent No.1, nothing had been communicated and the petitioner filed a petition COCP

No.2927 of 2013 (Annexure P-4). A fresh representation (Annexure P-5) was also filed on 13.12.2013, but the respondent(s) has not decided the same.

In the written statement on behalf of the respondent(s), it has been communicated that vide speaking order dated 19.01.2015 (Annexure R-4/4), a decision has been given by the Deputy Commissioner on the representation of the petitioner on the premise that in a proceeding initiated under Section 7 of the Punjab Village Common Land (Regulation) Act, 1961 (for short 'the 1961 Act'), the petitioner had lost upto the Hon'ble Supreme Court vide SLP No.1280 of 2012 (Annexure R-4/2) decided on 30.04.2012, therefore, no cause of action accrued in favour of the petitioner to re-agitate the issue.

Mr. R.S. Ghuman, Advocate, who is present in Court, assists the Court on behalf of the respondent(s)-Gram Panchayat and submits that the possession in pursuance to the aforementioned orders passed under Section 7 of the 1961 Act had been taken and the respondent(s) have already communicated in this regard. Even an application for stay seeking restraint order has been filed by the petitioner. The filing of the writ petition is nothing, but is an attempt to cause all possible hindrances and impediments, much less, tire out the Gram Panchayat by adopting all possible means.

I have heard the learned counsel for the parties and appraised the paper book and of the view that the factum of attainment of the finality of the order passed under Section 7 of the 1961 Act has not been disputed in the absence of any rejoinder. There was no occasion for the petitioner to reagitae the issue by making a representation. However, despite the fact

that this Court had issued a direction, the Deputy Commissioner had passed the order dated 19.01.2015 (Annexure R-4/4), which has been challenged on the premise that the same was not supplied.

Be that as it may, the fact remains that the petitioner cannot have a grievance for which the matter had already been decided.

Keeping in view the aforementioned facts, I do not find any illegality and perversity in the impugned order, under challenge, much less, no ground is made out for interference and accordingly, the present writ petition is dismissed.

20.04.2017 Yogesh Sharma	(AMIT RAWAL) JUDGE
	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No