

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

CWP No. 15813 of 2016 (O&M)
Date of decision : 8.3.2017

Ram Swaroop

.. Petitioner

versus

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

Present: Mr. Robin Dutt, Advocate, for the petitioner.
 Mr. Abhinash Jain, Assistant Advocate General, Haryana.

Rajesh Bindal, J.

The only grievance of the petitioner is that though in petition filed by the Gram Panchayat under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'the Act'), his eviction has been ordered, however, the suit filed by him under Section 13-A of the Act is pending before the Collector. The only prayer is that since the title dispute is pending before the Collector, during the pendency thereof, eviction proceedings be kept in abeyance. Reference can be made to order passed by this Court in CWP No.17166 of 2016—Jagmal Singh @ Jagmal vs. State of Haryana and others, decided on 1.2.2017.

Learned counsel for the State did not dispute the aforesaid factual position.

After hearing learned counsel for the parties, in our view,

eviction order passed against the petitioner deserves to be kept in abeyance, till such time the dispute regarding title to the property is decided by the Collector. In case the petitioner fails in the suit, the Gram Panchayat shall be at liberty to execute the eviction order subject to the petitioner's availing his remedy against the order passed by the Collector.

Ordered accordingly.

It would be in the interest of justice, if the Collector decides the dispute regarding title of the property within a period of six months from the next date of hearing.

The petition stands disposed of.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

8.3.2017
sharmila

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No