

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

**CWP No. 15054 of 2017 (O&M)
Date of decision : 16.08.2017**

Ajit Singh and another

..... Petitioners

versus

Gram Panchayat Village Tugo Patti and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Karanvir Singh Khehar, Advocate for the petitioners.

Mr.J.S.Bhandohal, Advocate for respondent No.1.

Ms.Ambika Luthra, Sr. DAG, Punjab.

SURYA KANT, J. (Oral)

There are two writ petitioners in this case. So far as petitioner No.1 is concerned, he has lost a long round of litigation against the Gram Panchayat qua the land in dispute in which he unsuccessfully claimed his ownership. He was in possession of the land during the year 2016-17 but has failed to pay Chakota to the Gram Panchayat despite our order dated 02.08.2017. The writ petition qua him thus is dismissed for non-compliance of order dated 02.08.2017.

As regards petitioner No.2, the question which arises for consideration is whether any fresh auction to lease out the Gram Panchayat land has been held after 25.05.2017 as the auction held on 25.05.2017 was set aside by the higher authorities? Needless to say that the Gram Panchayat land cannot be leased out without conducting a public auction.

The writ petition qua petitioner No.2 is thus disposed of with a direction to the Deputy Commissioner-cum-Collector, Patiala to get a fact finding inquiry conducted and find out whether any fresh auction was held by the Gram Panchayat after the cancelation of previous auction held on 25.05.2017. If it is found that no fresh auction was held, the Collector is directed to ensure that the Gram Panchayat land is put to auction in a transparent manner, granting opportunity to petitioner No.2 as well to participate in the auction. The needful shall be done within a period of 10 days. If the fresh auction is ordered to be conducted, it shall be duly videdographed.

(SURYA KANT)
JUDGE

(SUDHIR MITTAL)
JUDGE

August 16, 2017
sunita

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No