

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

CWP No. 22763 OF 2016 (O&M)

Date of decision: 05.04.2017

Bal Krishan(deceased) through LRs.

.. Petitioner

vs.

State of Punjab and ors.

.. Respondents

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

Present:- Mr. Mohd. Yousaf, Advocate
 for the petitioner.

Rajesh Bindal, J.

Challenge in the present petition is to the orders dated 20.03.2012 and 19.02.2015 respectively, passed by the District Development & Panchayat Officer, Sangrur exercising the powers of Collector and Joint Development Commissioner (IRD), Punjab exercising the power of Commissioner, respectively, whereby petition filed by Gram Panchayat village Bhudan under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 for eviction of predecessors-in-interest of the petitioner from the portion in dispute was allowed and the appeal was also dismissed. It has been specifically recorded by the Commissioner while rejecting the appeal against the order passed by the Collector that demarcation was conducted on 02.10.2010 and predecessors-in-interest of the petitioner and other persons, who were the appellants before the Commissioner were found to be in illegal possession on the land ear-marked for village pond. The demarcation earlier carried out was not challenged.

The contention raised by learned counsel for the petitioner is that the portion of the land which falls within the road and the house of the petitioner will be of no use. They are ready to pay the price of that land. The contention is merely to be noticed and rejected as under no circumstance, the land, which has been ear-marked for village pond, can be sold by the Gram Panchayat to anyone.

Consequently, the present petition is dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

05.04.2017
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Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No