

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19505 of 2017.
Date of Decision: September 25, 2017

Gram Panchayat, Bhanohar

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDHIR MITTAL.**

Present: Mr.Rajinder Kumar Singla, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The Gram Panchayat of Village Bhanohar, Tehsil and District Ludhiana seeks a direction to the official respondents for execution of the eviction order dated 27.07.1992 (P-1), which was passed against respondent No.6. It appears that the Gram Panchayat has already filed execution proceedings in which warrant of possession dated 20.02.2015 (P-2) was also issued. There is a correspondence between the BDPO, Sudhar and the Tehsildar, Mullanpur which suggests that efforts were made in the year 2015 to execute the eviction order but after 05.10.2015 no further action has been taken.

One of the question that might have confronted the authorities is whether the eviction order passed in the year 1992 can be executed after more than 20 years or so?

While we do not express any opinion on the above-stated question and leave it to be decided by the Competent Authority, it appears expedient to direct respondent Nos.3 to 5 especially the Deputy Commissioner, Ludhiana, to ensure that execution application filed by the

petitioner-Gram Panchayat is decided in accordance with law but after hearing objections of respondent No.6. Consequently, the writ petition is disposed of without expressing any views on merits, with a direction to the Deputy Commissioner, Ludhiana, to see that execution application filed by the petitioner-Gram Panchayat is decided as per law and while deciding the said application, adequate opportunity is given to respondent No.6 and thereafter only final order is passed. The needful shall be done within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

[SURYA KANT]
JUDGE

September 25, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No