

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-24020-2016

Date of Decision: November 27, 2017

Balvir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: None for the petitioner.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.

Mr.Pankaj Bali, Advocate for respondent No.6.

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SURYA KANT, J.

Though the respondents are seeking time to file their reply-affidavits but having regard to the nature of relief sought in this writ petition, we do not deem it necessary to keep the same pending.

[2] The petitioner is a resident of village Kot Panech, Tehsil Khanna, District Ludhiana. His grievance is that Gram Panchayat of his village has decided to dig a pond on the land comprising khasra No.16//18/1 where the plots were carved out and allotted to the landless persons belonging to 'BPL' category. It is further averred that correct khasra number of the pond is actually 18//17/1.

[3] As may be seen, the writ petition raises a question of fact as to whether the site where the Gram Panchayat has decided to dig out the pond

comprised in Khasra No.16//18/1 or 18//17/1/? Such a question of fact can be determined by the authorities after getting the land demarcated from the revenue department.

[4] Consequently, the writ petition is disposed of with liberty to the petitioner to approach the Deputy Commissioner, Ludhiana and DDPO Ludhiana for constitution of a team of revenue officials to demarcate the land where plots for 'BPL' category persons are said to have been carved out. The question whether those plots deserve to be allotted to the persons like the petitioner is again a question of fact which will be resolved by the Competent Authority. It may be mentioned at this stage that according to the counsel for the Gram Panchayat, the pond has already been dug out and, as such, nothing survives in this writ petition on merits.

[5] Be that as it may, the writ petition stands disposed of in the above terms.

(SURYA KANT)
JUDGE

November 27, 2017
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(SUDHIR MITTAL)
JUDGE

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No