

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20971 of 2017.

Date of Decision: September 15, 2017

Gram Panchayat, Village Saini Majra (Salempur Khurd)Petitioner

versus

Director, Rural Development and Panchayat, Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Munish Jolly, Advocate, for the petitioner.

-. -

Surya Kant, J. (Oral)

There is a title dispute between the petitioner-Gram Panchayat and the private-respondents in respect of the land measuring 1199 kanal- 1 marla. The private-respondents filed a declaratory petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 which was decided in their favour. The aggrieved Gram Panchayat has filed an appeal which is pending adjudication before the Director, Panchayats, Punjab. The petitioner-Gram Panchayat has also filed an application to restrain the respondents from alienating the land in dispute during the pendency of its appeal. The said application is not being taken-up for hearing by the Appellate Authority by totally misconstruing the order dated 07.02.2017 passed by this Court in PIL jurisdiction.

Be that as it may, the Appellate Authority is directed to decide the stay application in accordance with law by way of a reasoned order within a period of one month from the date of receiving a certified copy of this order. Till such application is decided on merits, the private-

respondents are restrained from alienating or creating third party rights in respect of the land in dispute.

The writ petition stands disposed of accordingly.

[SURYA KANT]
JUDGE

September 15, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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