

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.21423 of 2017.

Date of Decision: September 20, 2017

Gram Panchayat, Kalour

.....Petitioner

versus

Joint Development Commissioner (IRD), Punjab and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Nakul Sharma, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner-Gram Panchayat filed a declaratory petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 claiming its ownership over Khatoni No.227/387, Khasra No.400, measuring 7 biswa. Its petition was dismissed by the Collector, Patiala vide order dated 26.03.1987. The aggrieved Gram Panchayat went in appeal which was also dismissed by the Appellate Authority on 15.02.1996.

Almost after 20 years, the petitioner-Gram Panchayat filed application No.16 of 2015 before the Appellate Authority to recall its order dated 15.02.1996 and decide the appeal on merits. The Appellate Authority dismissed that application vide order dated 08.09.2016. The relentless Gram-Panchayat again filed another application which has been dismissed vide impugned order dated 09.02.2017 passed by the Joint Development Commissioner (IRD).

We have heard learned counsel for the petitioner.

As the facts would speak for themselves, the title of the Gram Panchayat qua the land in dispute has not been accepted by any forum. The

Gram Panchayat reconciled with the order dated 15.02.1996 (P-4) and did not challenge the same further. It cannot, therefore, be permitted after two decades to seek re-opening of the appeal and its fresh adjudication.

No case to interfere with the impugned orders is made out.

Dismissed.

[SURYA KANT]
JUDGE

September 20, 2017
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[SUDHIR MITTAL]
JUDGE

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