

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 22629 of 2017 (O&M)
Date of decision : October 4, 2017

Opinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Onkar Singh Batalvi , Advocate
for the petitioner.

RAKESH KUMAR JAIN, J (oral).

This petition is filed by the Sarpanch of the Gram Panchayat, Rampur, Tehsil Kadian District Gurdaspur in which he has prayed that a direction may be issued to take immediate action against the respondents who took forcefull and illegal possession of plot No.2 of Shamlat land/Panchayat land measuring 1 acre, bearing Khasra No. 50//3 situated in the revenue estate of village Rampur, District Gurdaspur.

I have heard learned counsel for the petitioner, perused the record and found that a writ of mandamus is not maintainable because the petitioner, being Sarpanch of Gram Panchayat, has a remedy under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (applicable to the State of Punjab) to file an application before the Collector for seeking eviction of the present respondent who is in unauthorized possession.

The present writ petition is dismissed on this ground alone.

(RAKESH KUMAR JAIN)
JUDGE

October 4, 2017