

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.22749 of 2017

Date of Decision: November 07, 2017

Gram Panchayat, Nanak Nagri

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.Divjyot S. Sandhu, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed by the Gram Panchayat, Nanak Nagri through its Sarpanch for seeking a writ in the nature of certiorari for setting aside the order dated 06.04.2017 passed by the Financial Commissioner, Punjab by which he has remanded the matter back to the Deputy Commissioner, Kapurthala to decide the issue involved.

Learned counsel for the petitioner submits that the Gram Panchayat Chehru, Tehsil Phagwara, District Kapurthala was bifurcated and another Gram Panchayat, Nanak Nagri was created. The land measuring 39 acres of Gram Panchayat, Chehru was divided as per population and 14 acres of land was given to Gram Panchayat, Nanak Nagri and rest of the land remained with Gram Panchayat, Chehru. The petitioner has the grievance that out of the total land some of the land, in unauthorized possession, has been given to it and some has been given to respondent No.7. It is further submitted that the petitioner is not even being associated in the matter of settling the *inter se* dispute.

I have heard learned counsel for the petitioner and after examining the record, am of the considered opinion that the interference in the impugned order dated 6.4.2017 is not called for as an innocuous order has been passed by the Financial Commissioner remanding the case back to the Deputy Commissioner, Kapurthala for the purpose of deciding the *inter se* dispute between the parties. However, it is made clear that the Deputy Commissioner, Kapurthala shall associate the petitioner and shall allow them to raise issues which shall be decided by him after giving proper opportunity of hearing and by passing a speaking order

With these observations, the present petition is hereby disposed of.

November 07, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No