

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23692 of 2017.

Date of Decision: October 13, 2017

Harjit Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.V.K.Sandhir, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is a resident of village Fatehpur Jattan, Tehsil and District Patiala. It is averred that the Gram Panchayat of his village filed eviction petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 for ejectment of respondent No.6 from the Gram Panchayat land measuring 61 bigha 14 biswa. The eviction petition was allowed and the order of ejectment was passed alongwith penalty of Rs.10,000/- per month from the year 1991-92 onwards. Respondent No.6 filed an appeal which was also dismissed. Thereafter, respondent No.6 filed a declaratory petition claiming ownership of the land which was allowed by the Collector and the appeal filed by the Gram Panchayat against that order was dismissed on 20.10.2000. The aggrieved Gram Panchayat approached this Court by way of CWP No.10680 of 2002 and its writ petition was allowed vide order dated 19.08.2003 (P-6) and the matter was remanded for afresh adjudication. Thereafter, the Collector vide order dated 24.05.2007 (P-8) declared the Gram Panchayat to be the owner of the land in dispute and appeal filed by respondent No.6 against that order was also dismissed

2009 which too was dismissed on 06.07.2012.

In this manner, respondent No.6 has lost both rounds of litigation and it stands finally established that the land measuring 61 bigha 14 biswa occupied by him vests in Gram Panchayat and he is in its unauthorized occupation.

The grievance of the petitioner in this writ petition is that no action is being taken to execute the eviction order and respondent No.6 is still enjoying the fruits of the Gram Panchayat land.

As the facts would speak for themselves, the matter requires attention of the District Development and Panchayat Officer, Patiala and the Block Development and Panchayat Officer concerned, who in turn, are directed to verify the facts and ensure that the Gram Panchayat of the village or other authorities take necessary action in accordance with law to give effect to the orders which have attained finality.

Let the needful be done within a period of three months from the date of receiving a certified copy of this order.

The writ petition stands disposed of accordingly.

[SURYA KANT]
JUDGE

October 13, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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