

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.24777 of 2017.

Date of Decision: November 01, 2017

Jasbir Singh and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Deepak Sabherwal, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Kurda, Tehsil and District SAS Nagar Mohali. They filed a declaratory petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 claiming themselves to be owners of land measuring about 4 kanals out of total land measuring 136 kanal 11 marla comprising khasra No.41 which is stated to be *abadi deh*. The Collector, Mohali allowed their petition vide order dated 08.1.2013 (P-2) but on appeal by the Gram Panchayat, the matter has been remanded by formulating certain issues which are again required to be adjudicated by the Collector. The matter is still pending adjudication before the Collector, Mohali. Meanwhile, the officials of the Department of Rural Development and Panchayat, Punjab, have taken action including vide letter dated 13.10.2017 (P-5) to remove the alleged illegal possession of the petitioners. Since the matter is sub-judice in the Court of Collector, we are satisfied that the parties are obligated to maintain *status-quo* till the matter is decided by the Collector.

The writ petition is accordingly disposed of with a direction to

the parties to maintain *status-quo* re: possession or further construction at

the site till the petition under Section 11 of the 1961 Act is decided by the Collector, Mohali. It is further directed that regardless of our order dated 07.02.2017 passed in CRM-M No.49595 of 2007 (Kuldip Singh versus State of Punjab), which was passed in PIL jurisdiction, the Collector, Mohali shall decide the petition filed by the petitioners, expeditiously but not later than four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

November 01, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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