

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.25726 of 2017

Date of Decision: November 13, 2017

Daljit Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Inderjit Sharma, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are residents of village Kalichpur and Sidhpur, Block Dina Nagar, Tehsil and District Gurdaspur. An ex-parte eviction order was passed against them under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (P-2) by the DDPO-cum-Collector, Gurdaspur. The petitioners instead of filing statutory appeal against such eviction order, approached the Civil Court through a suit for injunction which was decreed on 27.02.2017 restraining the Gram Panchayat from dispossessing them without following due course of law.

Be that as it may, meanwhile warrants of possession have been issued on 03.04.2017 (P-3) for execution of the eviction order. Thereafter, the petitioners have applied on 24.04.2017 to the Court of Collector to recall the ex-parte order dated 28.10.2010. Apprehending that they are likely to be dispossessed from the suit land meanwhile, the instant writ petition has been filed.

We have heard learned counsel for the petitioners.

Keeping in view the fact that the petitioners' application for

recalling of the ex-parte eviction order is statedly pending before the Court

of Collector, Gurdaspur, the writ petition is disposed of without expressing any views on merits with a direction to the Collector, Gurdaspur to decide that application by way of a reasoned order as early as possible but not later than two months from the date of receiving a certified copy of this order.

Till that application is decided, the parties are directed to maintain *status-quo* re: possession.

[SURYA KANT]
JUDGE

November 13, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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