

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.29249 of 2017.

Date of Decision: December 20, 2017

Satnam Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.J.S.Thind, Advocate, for the petitioner

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Surya Kant, J. (Oral)

The petitioner is a resident of village Gaggar, P.O. Ramdas, Block Ajnala, District Amritsar. The Gram Panchayat of his village filed eviction petition under Section 7 of the Village Common Lands (Regulation) Act, 1961 read with Sections 3, 4 & 5 of the Punjab Public Premises Act, 1971 for the petitioner's eviction from the land measuring 8 kanal situated within the revenue estate of village Gaggar. The eviction petition was allowed by the Collector, Amritsar vide order dated 07.11.2017. The petitioner has filed statutory appeal against the eviction order before the Director, Rural Development and Panchayats which is now stated to be listed for hearing of on 09.01.2018. It is alleged that though the petitioner filed appeal immediately but no effective hearing has taken place due to non-availability of Presiding Officer of the Appellate Authority. Resultantly, the petitioner could not get the stay order against his eviction. Meanwhile, the Gram Panchayat has sought police help to dispossess the petitioner from the land in question.

In this view of the matter when the petitioner's statutory appeal

is pending for preliminary hearing, we are satisfied that *status-quo* deserves

to be maintained till the Appellate Authority decides his stay application.

The writ petition is accordingly disposed of with a direction to the parties to maintain *status-quo* re: possession with a further direction to the Appellate Authority to decide the stay application on the date fixed or within two weeks thereafter. The B.D.P.O. concerned is directed to permit the petitioner to have access to the land till such time.

Dasti.

[SURYA KANT]
JUDGE

December 20, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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