

CM-1717-2016 in/and
CWP-923-2016 (O&M)

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HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-1717-2016 in/and
CWP-923-2016 (O&M)
Date of Decision: August 31, 2017

Manjeet Singh

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHIR MITTAL**

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Gurmeet Singh Salana, Advocate
for the petitioner.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.

Mr.G.S.Benipal, Advocate for respondent No.5.

Mr.Jitender Singla, Advocate for respondent No.10.

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SURYA KANT, J.

The impugned order dated 28.12.2015 (Annexure P-1) has been passed by the District Development and Panchayat Officer-cum-Collector, SAS Nagar, whereby the private respondents have been permitted to raise construction at the disputed site which is stated to be Gram Panchayat's land.

[2] The above-stated order of the Collector is appealable at the instance of the Gram Panchayat before the Commissioner-cum-Appellate Authority.

[3] Learned counsel for the Gram Panchayat states that Gram Panchayat is inclined to file an appeal against the same.

[4] Heard learned counsel for the parties. The Gram Panchayat-respondent No.5 is permitted to file the appeal against the impugned order dated 28.12.2015. It is directed that if such an appeal is filed within one month, the Appellate Authority, in the peculiar facts and circumstances of this case, shall condone the delay and decide the appeal on merits in accordance with law within a period of four months from the date of filing of such appeal. Till such time, the respondents are directed not to raise any construction at the site.

[5] Disposed of.

CM-1717-2016

As the main case has since been disposed of, there is no need to pass separate order in this application as the same has become infructuous.

Ordered accordingly.

**(SURYA KANT)
JUDGE**

August 31, 2017
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**(SUDHIR MITTAL)
JUDGE**

1. Whether speaking/reasoned ?	Yes/No
2. Whether reportable ?	Yes/No