

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.443 of 2017 (O&M)

Date of Decision: January 13, 2017

Surinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Mohit Jaggi, Advocate, for the petitioner.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 to 4 only at this stage.

On our asking, Mr.Rajesh Bhardwaj, learned Additional Advocate General, Punjab, accepts notice on their behalf.

Let four copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1 to 4 or to serve respondent Nos.5 & 6 at this stage.

The case of the petitioner is that eviction order was passed against respondent No.6 at the instance of the Gram Panchayat in respect of the land fully described in para No.3 of the writ-petition. He filed an appeal

which was dismissed. The writ petition filed in this Court was also

dismissed. The eviction order has thus attained finality. It is further alleged that for executing the eviction order, warrants of possession dated 07.05.2012 were issued but despite the fact that almost five years have passed, the warrants of possession have not been executed. On the other hand, the petitioner alleges that respondent No.6 has started raising construction on the encroached site. It is in this backdrop that the petitioner seeks a direction for execution of warrants of possession.

Having heard learned counsel for the parties but without expressing any views on the merits of the allegations as we have not called upon respondent Nos.5 & 6 at this stage, this writ petition is disposed of with a direction to the District Development and Panchayat Officer-respondent No.3 to ascertain the correct facts and take necessary action in accordance with law, within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

January 13, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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