

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.6845 of 2017

Date of Decision: December 08, 2017

Gram Panchayat of village Soonak

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Nakul Sharma, Advocate, for the petitioner.

Mr.Rajesh Bhardwaj, Sr.DAG, Punjab.

Mr.P.C.Dhiman, Advocate, for respondent Nos.4, 13, 15, 16,18, 19,20,22to26, 28to32, 37to41, 44, 45, 48to54, 65, 67to83,84to87, 89, 90, 95to99, 100, 101, 103, 104, 105, 111, 114, 115, 121, 127,\ 130, 132, 133 to 136, 140 to 151, 154, 183.

Mr.Manish Joshi, Advocate, for respondent Nos.4 to 13.

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Surya Kant, J. (Oral)

The claim of private-respondents under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 was accepted by the Collector, SAS Nagar Mohali vide order dated 01.07.2016 (P-1). The petitioner-Gram Panchayat has filed statutory appeal against the above-stated order but its appeal is not being taken up for hearing by the Appellate Authority under the misconception that there is a blanket stay imposed by this Court on continuation of such proceedings, in terms of order dated 07.02.2017 passed in a bunch of cases including CRM-31984 of 2013 in CRM-M-49595 of 2007 (Kuldip Singh versus State of Punjab) (P-4)

We have already clarified the said stay order in some of the connected cases. In the instant case, the Appellate Authority is directed to proceed with the appeal filed by the Gram Panchayat and decide the same in accordance with law and principles of natural justice.

It shall be appreciated if the appeal is decided within a period of four months from the date of receiving a certified copy of this order. Till such time, the interim stay order dated 25.04.2017 passed by this Court shall continue to operate.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

December 08, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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