

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**LPA no. 4 of 2017 (O&M)
Date of Decision : 10.01.2017**

Harjinder Singh

....Appellant(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE DR. SHEKHER DHAWAN**

**Present : Mr.M.S.Khaira, Sr. Advocate with
Mr. Dharminder Singh Randhawa, Advocate for the appellant**

MAHESH GROVER, J.

This appeal is directed against the judgment of the learned Single Judge dated 26.9.2016.

The respondent having failed in the process of appointment of Lambardar before all the authorities including the writ Court has filed the present appeal where a solitary plea that has been raised is that the selected candidate is in un-authorized occupation of the Gram Panchayat land.

We notice from the order of the Collector that report of the Patwari was sought in this regard and it was reported that the father of respondent no. 4 had encroached upon some land at a distant point of time when respondent no.4 was a minor. This would not ipso facto make the respondent no. 4 liable for the same as it is not he who had committed the illegal act but his father.

Therefore, we decline interference but since the question of

unauthorized occupation has been brought to the notice of the authorities as also before us, we would require the official respondents to look into the matter immediately and ensure that the unauthorized occupants are evicted in accordance with law.

Instant appeal is hereby dismissed.

(Mahesh Grover)
Judge

10.01.2017
rekha
Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(Shekher Dhawan)
Judge