

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

CWP No.12718 of 2018

Date of Decision : 21.05.2018

Gram Panchayat, Village Badwar

....Petitioner

Versus

Joint Development Commissioner (IRD),
Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

Present: Mrs.Sushma Chopra, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

This petition is directed against the order dated 02.02.2018 negating the attempt of the Panchayat to auction the pond on the ground that publication was not in accordance with Rule 6(10) (1) of the Punjab Village Common Lands (Regulation) Rules, 1964 which is extracted herebelow :-

“6(10)(1) The publicity, to lease auction programme, shall be given 15 days before the date of auction by specifying the description of land, the date, time and place fixed for auction of lease:-

- (a) Through any vernacular newspaper with wide circulation as approved by the Government and where the auction of stone quarries, bajri or other more minor mineral etc., is to be held, also through an English newspaper with wide circulation, as approved by the Government;
- (b) By pasting a copy of the auction notice on a outer door of Panchayat ghar, village Patwarkhana, office of Panchayat Samiti and Zila Parishad and at some other conspicuous places of the shamlat deh or of the estate in which the shamlat deh is

situated; and

(c) By beat of drum within the Sabha area.”

Concededly, the publication reveals that notice of 7 days was in violation of afore-extracted Rules. We, therefore, find no illegality in the impugned order. Consequently, the petition is dismissed.

However, the petitioner would be at liberty to undertake the auction process afresh after complying with the Rules.

(MAHESH GROVER)
JUDGE

21.05.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No