

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

CWP No.15667 of 2018
Date of Decision:22.06.2018

Mewa Singh and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: **HON'BLE MR. JUSTICE AMIT RAWAL**
 HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.Mohinder Singh Joshi, Advocate for the
 petitioners.

AMIT RAWAL J.(Oral)

The grouse of the petitioner is against the order dated 08.06.2018 (Annexure P-5), whereby the auction conducted by the Gram Panchayat in favour of the petitioner has been cancelled, an appeal under Section 10 (A) of the Punjab Village Common Lands (Regulation) Act, 1961 (for short “ the Act”) has been preferred before the Joint Development Commissioner, Punjab at Mohali dated 18.06.2018 accompanied by an application for interim stay of even date, but the aforementioned application and appeal have not been entertained on the premise that the office did not fix any date during the vacations in the High Court.

Notice of motion.

On the asking of the Court, Mr. Hitten Nehra, Advocate, accepts notice on behalf of respondents No. 1 to 4.

Without commenting upon the merits and demerits of the case, we deem it appropriate to dispose of this writ petition with the direction to respondent no.2 i.e. Joint Development Commissioner, Punjab, SAS Nagar,

Mohali to consider the application for stay and appeal filed against the order dated 08.06.2018 and pass an appropriate order within a period of one week from today.

The petitioner in pursuance of the auction proceedings held by the Gram Panchayat was the successful bidder in the auction held on 30.10.2017 stated to have paid a sum of ₹3,10,000/-.

It has been further pointed out that the Gram Panchayat has passed a resolution dated 16.05.2018 i.e. Annexure P-6, which according to Mr.Joshi, Advocate, month of May has wrongly been mentioned for the Gram Panchayat auctions at their level by beat of drum only without causing any publication.

Auction, if any, held will be subject to the pendency of the appeal filed by the appellant, as the auction money has not been refunded and if otherwise, the Gram Panchayat shall defer the auction proceedings in respect of the land in dispute.

Disposed of.

(AMIT RAWAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

22.06.2018
Anjal/Seema

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No