

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

1) CWP No.1823 of 2018

Gram Panchayat Mallewal
....Petitioner
Versus
State of Punjab and others
....Respondents

2) CWP No.1826 of 2018

Gram Panchayat Mallewal
....Petitioner
Versus
State of Punjab and others
....Respondents

3) CWP No.1838 of 2018

Gram Panchayat Mallewal
....Petitioner
Versus
State of Punjab and others
....Respondents

4) CWP No.1839 of 2018

Gram Panchayat Mallewal
....Petitioner
Versus
State of Punjab and others
....Respondents

5) CWP No.1840 of 2018

Gram Panchayat Mallewal
....Petitioner
Versus
State of Punjab and others
....Respondents

6) CWP No.1841 of 2018

Gram Panchayat Mallewal
....Petitioner

Versus

State of Punjab and others

....Respondents

7) CWP No.1851 of 2018

Gram Panchayat Mallewal

....Petitioner

Versus

State of Punjab and others

....Respondents

8) CWP No.1858 of 2018

Gram Panchayat Mallewal

....Petitioner

Versus

State of Punjab and others

....Respondents

9) CWP No.1871 of 2018

Gram Panchayat Mallewal

....Petitioner

Versus

State of Punjab and others

....Respondents

Date of Decision : 29.01.2018

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

....

Present: Mr.Nakul Sharma, Advocate
for the petitioner(s).

MAHESH GROVER, J. (Oral)

By this order we will dispose of CWP Nos.1823, 1826,
1838, 1839, 1840, 1841, 1851, 1858 and 1871 of 2018.

The petitioner-Gram Panchayat approached the Court of
the Assistant Collector under Section 7(2) of the Punjab Village

Common Lands (Regulation) Act, 1961 (in short 'the Act') by claiming that the land comprised in “Shamlat Patti” belongs to them and consequently unauthorised occupation of the respondents be stopped forthwith with their eviction.

Section 2(g) of the Act defines that “shamilat deh” includes--

(1) & (2)

(3) lands described in the revenue records as shamilat, Tarafs, Pattis, Pannas and Tholas and used according to revenue records for the benefit of the village community or a part thereof or for common purposes of the village;

(4) & (5)

but does not include land which--

(i) to (iv)

(v) is described in the revenue records as Shamilat, Taraf Pattis, Pannas, and Thola and not used; according to revenue records for the benefit of the village community or a part thereof or for common purposes of the village;

(vi) to (ix)

On perusal of the impugned order, we find that absolutely no evidence has been led by the petitioner to show that the land comprised in Shamlat Patti was being used for common purposes thereby bringing it within the control/ownership of the Panchayat.

Before us also no material has been shown which would persuade us to conclude otherwise.

Consequently, we find no merit in these petitions and dismiss the same.

(MAHESH GROVER)
JUDGE

29.01.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

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