

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

CWP No.569 of 2018

Date of Decision : 14.05.2018

Gandharav Singh

....Petitioner

Versus

Gram Panchayat of Village Bhagol
and another

....Respondents

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

Present: Mr.Sarbjit Singh Khaira, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

This petition is directed against the order Annexure P-2 where the Gram Panchayat succeeded in its petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 securing the order of eviction against the petitioner on the ground of unauthorised possession. The proceedings under Section 7 of the said Act were determined by the District Development and Panchayat Officer on 17.06.2015. The petitioner did not impugn this order till as late as 2017 inviting objections from the Gram Panchayat of the appeal being barred by limitation. By virtue of the impugned order Annexure P-2 while deciding the appeal the Appellate Authority observed that the appeal was barred by limitation but in the final conclusion also gave its reasoning on merit. It has noticed that as per the jamabandi for the year 2006-07, the suit land comprising Khewat No.405, Khatoni No.998, Muraba No.15 Killa No.16(8-0), 24(8-0), 25(8-0), Muraba No.15, Killa No.15, Muraba No.16, Killa No.11, 20,

21 was in the ownership of the Gram Panchayat Bhagol, Tehsil and District Gurdaspur of which the petitioner has taken wrongful possession. Neither has he deposited the amount in the bank of the Gram Panchayat for use and occupation of the land nor was he able to prove his legitimate possession by producing any document.

During the course of hearing of this petition, on 15.01.2018 we noticed that the petitioner was unable to show anything from the record that would justify his possession while the revenue record leaned favourably towards the ownership of the Gram Panchayat. Learned counsel for the petitioner had prayed for some time to satisfy us on this count. Despite another opportunity granted on 20.03.2018, he has been unable to show any record to us.

In the absence of any record justifying the possession of the petitioner, we would have no hesitation in dismissing the petition particularly when the claim of the Gram Panchayat is sustained by the revenue record.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

14.05.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

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