

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

**CWP No.9356 of 2018 (O&M)
Date of Decision:19.04.2018**

Gurbax Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. N.S. Dandiwal, Advocate
for the petitioner.

G.S. SANDHAWALIA, J. (ORAL)

The petitioner has filed the petition under Article 226 of the Constitution of India seeks direction to the respondents to deliver the possession back or to pay the compensation to the petitioner by acquiring the land situated in the village Gholia Kalan, Tehsil Baghapurana, District Moga.

Admittedly, the petitioner was successful in the Civil Court proceedings regarding the excess land which has been taken into possession by the respondents and also had been held entitled for payment of compensation of 55 Eucalyptus trees for which a sum of Rs.1,00,000/- has been awarded by the lower Appellate Court on 29.04.2011 (Annexure P-2).

He had also filed execution proceedings in which the warrants issued by the Additional Civil Judge (Senior Division), Bhaghapurana had been executed by the revenue authority on 12.10.2016 (Annexure P-6) and thereafter he had withdrawn the execution petition on 20.10.2016 (Annexure P-7) on the ground that he had been fully

satisfied.

In such circumstances, the contention as such that the petitioner is not in effective possession of the land and the official respondents are interfering is not tenable. If the petitioner has any such grouse regarding interference in his peaceful possession it is open to him to approach the Executing Court to ensure that the decree as such is not violated in any manner.

In such circumstances, the petition is disposed of with the aforesaid liberty.

19.04.2018
pvd

(G.S. SANDHAWALIA)
JUDGE

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