

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

105

**RSA-3247-2016 (O&M)
Date of Decision : 29.10.2018**

Jumma and others

....Appellants

vs.

GramPanchayat Khedla and others

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Sandeep Vermani, Advocate and
Ms. Gurdeep Kaur, Advocate
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing a suit filed by the appellants.

The appellants have claimed that they were in physical and continuous possession over the land measuring 6 Kanals and 9 Marlas situated within the revenue estate of village Jokhpur, Tehsil Nuh, Dis. Mewat being tenants under the Bhonedars. They had specifically challenged an eviction order passed under Section 7 of the Punjab Village Common Land (Regulation) Act, 1961. Both the Courts below held that the appellants had an effective remedy of challenging the eviction order in appeal and the suit was not maintainable. Learned counsel has argued that an eviction petition against Bhonedar had been dismissed by the same authority and consequently, he could not entertain the same dispute. Learned counsel is however not in a position to deny that the previous

eviction petition was not decided on merits. If that is, so no fault can be found with the findings of the Courts below. The appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

29.10.2018
anuradha

(AJAY TEWARI)
JUDGE

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