

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

1. LPA-1178-2019

Swaranjit Kaur and others

...Appellants

Versus

The Commissioner-cum-Deputy Commissioner and others

...Respondents

2. LPA-1226-2019(O&M)

Amarjit Kaur and others

... Appellants

Versus

The Commissioner-cum-Deputy Commissioner and others

... Respondents

Date of decision : 26.09.2019

***CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA,
ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU***

Present: Mr.Vaibhav Sehgal, Advocate
for the appellants.

RAJIV SHARMA, ACTING CHIEF JUSTICE

Since common questions of law and facts are involved in the aforesaid appeals, therefore, these are taken up together and disposed of by a common judgment.

2. These Letters Patent Appeals are instituted against the

judgment dated 29.10.2018 rendered by the learned Single Judge in CWP no.24489 of 2018 and analogous matter.

3. The appellants have challenged the orders dated 26.05.2014, 14.10.2015 and 14.03.2018 whereby their eviction was ordered from khasra no.50 under the Punjab Public Premises & Land (Eviction & Recovery) Act, 1973.

4. The case of the State was that the appellants have raised unauthorized construction on the land of the Irrigation Department. The department has filed the petition under Sections 4, 5 & 7 of the Punjab Public Premises & Land (Eviction & Recovery) Act, 1973 on the basis of demarcation dated 29.12.2010.

5. Learned counsel for the appellants has vehemently argued that they have purchased the land from genuine vendors. However, as per demarcation report, the appellants were found in possession over khasra no.50.

6. Learned counsel for the appellants has further argued that the demarcation report is not as per the revenue law.

7. The fact of the matter is that the demarcation was carried out in the presence of all the parties including the appellants. They have not raised any objection to the demarcation report dated 29.12.2010. The appellants have encroached upon the government land. The prescribed authorities under the Act have passed reasoned and speaking order. The orders have been upheld by the learned Single Judge by passing speaking and reasoned judgment.

8. Accordingly, there is no merit in these appeals and the same are dismissed.

(RAJIV SHARMA)
ACTING CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

September 26, 2019.
Davinder Kumar

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