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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19824-2017 (O&M)
Date of decision : 16.9.2019

Gurmeet Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present:- Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. Sheersh Gupta, Sr. DAG, Punjab.

Mr. M.S. Longia, Advocate for respondent No. 4.

Rakesh Kumar Jain, J (Oral)

This petition is directed against the order dated 7.7.2017 (Annexure P-1), passed by Director, Rural Development and Panchayat, Punjab (exercising the powers of Commissioner) by which a petition filed by the Gram Panchayat under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'the Act') has been dismissed vide order dated 27.12.2016 passed by District Development and Panchayat Officer-Cum-Collector Panchayat Lands, Kapurthala on the ground of delay of 101 days in filing of the appeal.

Counsel for non-applicant/Gram Panchayat, on instructions from the Sarpanch who is present in person in Court, has submitted that delay in filing the appeal may be condoned and the order passed by the learned Appellate Court dated 7.7.2017 may be set aside and the matter may be remanded back to him to decide the same on merits.

Accordingly, the order passed by the Appellate Court dated 7.7.2017 is set aside and the delay of 101 days in filing the appeal is condoned and the matter is remanded back to the Appellate Court to decide the same in accordance with law as early as possible preferably within a period of three months from the date of appearance of the parties as it pertains to a petition filed under Section 7 of the Act.

Parties are directed to appear before the Appellate Court on 15.10.2019.

Writ petition stands allowed.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

16.9.2019
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Whether speaking / reasoned	Yes/No
Whether Reportable:	Yes/No