

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

CWP No.20444 of 2018

Date of Decision:-28.02.2019

Baljinder Kaur.

.....Petitioner.

Versus

The State of Punjab & Ors.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present:- Mr. Jasdeep Singh, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

The widowed daughter aged 40 years, namely, Baljinder Kaur-petitioner has filed the present petition assailing the order dated 22.01.2016 (P-2) passed by the Collector, Patiala whereby the application filed by the Gram Panchayat under Section 7 of The Punjab Village Common Lands (Regulation) Act, 1961 regarding the ejectment of the petitioner and her brother Sukhwinder Singh @ Babu from the land in dispute was allowed and the petitioner and her brother were directed to hand over the vacant possession of the land. Further Challenge is to the Appellate Order dated 30.05.2018 (P-4) whereby the findings of the lower Court have been affirmed.

Counsel for the petitioner heard at length.

It is evident that the Gram Panchayat vide Resolution dated

06.04.2010 (P-1) had permitted the father of the petitioner i.e. Gurcharan Singh to reside at the vacant place at the Gobbar Gas plant in lieu of he working as Chowkidar at the Gobbar Gas Plant. It is not in dispute that Gurcharan Singh has since died and thus the Gram Panchayat filed an eviction petition on 02.07.2015 seeking the ejectment of the LR's. The ownership of the Panchayat of the area in dispute described as *Gair Mumkin* plot is not disputed. Petitioner having no right to reside there in perpetuity has been rightly evicted by both the Authorities below.

In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

February 28, 2019
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>