

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

CWP-25951-2019

Date of Decision: 16.09.2019

Jasvir Singh and others

. Petitioners

Vs.

Joint Development Commissioner (IRD) Punjab and others

. Respondents

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

Present: - Mr.J.S. Bhandohal, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed by 22 petitioners, who had filed a petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Punjab) [for short 'the Act'].

The Collector, vide order dated 18.09.2007, declined to hear the petitioners on account of non-payment of lease money. The said order of the Collector was upheld by the Commissioner vide order dated 02.07.2009. Both the orders were challenged by the petitioners by way of CWP-9029-2010 titled as *Amar Singh Vs. State of Punjab and others*. The said writ petition was disposed of with a direction that the Collector shall decide the petition provided the petitioners deposit the amount as assessed by the Collector till 30.4.2012, failing which the order passed by the Collector and Commissioner shall be confirmed.

It is submitted that some amount was paid but during the pendency of the petition, the arrears were not deposited, therefore, vide order dated 09.09.2014, petition filed by the petitioners was dismissed on the

ground that the amount payable from the year 2002 till 30.04.2012 has not been deposited. The said order was further challenged by the petitioners before the Commissioner but it met with the same fate as the appeal was dismissed by the Commissioner on 06.06.2018 and hence the present petition has been filed.

The only prayer made by the petitioners in this case is for the extension of time for the purpose of depositing the arrears.

We have heard learned counsel for the petitioners and after perusal of record, are of the considered opinion that the order passed by this Court dated 21.02.2012 was peremptory as it was made clear that if the entire amount is not deposited, as assessed by the Collector, on or before 30.4.2012, the order of the Collector and Commissioner passed on 18.09.2007 and 02.07.2009, respectively shall be deemed to be confirmed. Therefore, we do not find any error in the impugned order.

No other point has been raised.

In view of the aforesaid peculiar facts and circumstances, there is hardly any merit in this petition for the purpose of interference and hence the same is hereby dismissed though without any order as to costs.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

16.09.2019
Vivek

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