

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

CWP No. 29610 of 2019

Date of Decision: 15.10.2019

JAGAT SINGH (SINCE DECEASED) THROUGH HIS LRs ...Petitioners

VS.

STATE OF PUNJAB AND OTHERSRespondents

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

Present: Mr. Arun Takhi, Advocate
 for the petitioners.

RAKESH KUMAR JAIN, J. (Oral)

The petitioners have challenged the orders dated 09.09.2014 (Annexure P-10) passed by respondent No. 3 and 13.09.2019 (Annexure P-11) passed by respondent No. 2, dismissing their application filed under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short “the Act”).

In brief, the Gram Panchayat (respondent No. 5) had filed an application under Section 7 of Act, seeking eviction of the petitioners from the land in question. The said application was allowed against the petitioners and they lost upto this Court as their writ petition bearing CWP No. 8463 of 2004 was dismissed on 18.09.2018. However, this Court, while parting with the order had observed that the petitioners may apply for the purchase of the land in dispute. The petitioners then applied for the purchase of the land of the Gram Panchayat but their request was declined which led to filing of another writ petition bearing CWP No. 10852 of 2009 which was also dismissed on 14.01.2010 with the following observations:-

“As the Panchayat has decided to decline the petitioners offer of purchase of the land, this Court cannot, pass any orders compelling

the Gram Panchayat to sell the land to the petitioners. The petition is, therefore, dismissed.”

The only prayer made in this petition is for the reconsideration of the request of the petitioners for the purchase of property in dispute and in this regard, reference has been made to an interim order passed by this Court in CWP No. 18810 of 2017.

We have heard counsel for the petitioners and after examining the record, are of the considered opinion that there is no merit in this petition because the prayer made by the petitioners has already been considered and declined by the Gram Panchayat and the said order of rejection has been unsuccessfully challenged by the petitioners as the writ petition filed by them has already been dismissed. In view thereof, there is no scope of review of the order passed by this Court by way of a separate writ petition that too with the aid of some *zimni* orders passed in another writ petition.

With these observations, we do not find any merit in this petition and the same is hereby dismissed..

[RAKESH KUMAR JAIN]
JUDGE

October 15, 2019

Ess Kay

[ARUN KUMAR TYAGI]
JUDGE

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

Whether Reportable : **Yes / No**