

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

234

RSA-9778-2018 (O&M)
Date of Decision: 14.03.2019

GRAM PANCHAYAT VILLAGE HASSAPUR

...Appellant

Versus

KISHORI LAL & ORS

...Respondent(s)

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. V.D. Sharma, Advocate
for the appellant.

JAISHREE THAKUR, J. (Oral)

CM-18967-C-2018

Application under Section 5 of the Limitation Act for condonation of 52 days delay in filing the present petition has been filed. For the reasons mentioned in the application, the delay of 52 days in filing the petition is condoned.

Main case

1. The plaintiff-respondent filed a suit for declaration and permanent injunction as a consequential relief before Civil Judge (Junior Division), Palwal which was decreed by order dated 30.11.2015 and the subsequent appeal was filed before the Additional District Judge, Palwal which was dismissed.

2. Aggrieved against the said dismissal order the instant appeal has been filed by the Gram Panchayat Village Hassapur. Learned counsel appearing on behalf of the Gram Panchayat Village Hassapur contends that the Gram Panchayat Village Hassapur had filed a suit for eviction of the

respondents-complainants by invoking Section 7 of the Punjab Village Common Lands Act, 1961 and their suit was decreed by order dated 23.11.2016 passed by the Assistant Collector First Grade Palwal. Pursuant to the said order execution was filed and in the execution warrants of possession was issued on 04.05.2018 and subsequent thereof possession has already been taken.

3. In view of the fact that the possession of the disputed land in question is already been taken by the Gram Panchayat Village Hassapur from the plaintiff-respondent no further orders are called for in the instant appeal.

4. The appeal stands dismissed as having rendered infructuous.

14.03.2019

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No