

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7504-2020 (O&M)
Date of decision : 30.07.2020

Kulwant Singh

.... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present : Mr. Ramesh Sharma, Advocate,
for the petitioner.

Mr. Sahil Sharma, DAG, Punjab.

Mr. C.L. Premy, Advocate,
for respondent No.6.

Mr. Vivek K. Thakur, Advocate,
for applicant-respondent No.9.

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RAJIV SHARMA, J.

This case has been taken up for hearing through video conferencing.

CM-6022-CWP-2020

Applicant Harjeet Singh is ordered to be impleaded as respondent No.9. Amended memo of parties is taken on record.

Application is allowed.

CWP-7504-2020 (O&M)

Gram Panchayat – respondent No.6 entered into lease with the petitioner on 05.12.2017 for the years 2018-2019 and 2019-2020.

According to the correct translation of the lease deed placed on record by

respondent No.5 i.e. Annexure R-5/1, it was only upto Hari. The case of the petitioner is that the Gram Panchayat – respondent No.6 has accepted the amount from him. Needless to add that the Gram Panchayat has no jurisdiction or authority to accept the amount without entering into lease with the petitioner. In fact, the Gram Panchayat has entered into lease with newly added respondent on 20.05.2020 vide Annexure A-2.

The amount collected by Gram Panchayat – respondent No.6 is ordered to be refunded to the petitioner within a period of three weeks from today.

Consequently, there is no merit in the writ petition and the same is dismissed.

(RAJIV SHARMA)
JUDGE

July 30, 2020
ndj

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No