

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

111

C.W.P.No.11997 of 2019

Date of Decision:- 02.03.2020

Deepinder Pal Singh and others

....Petitioners

vs.

State of Punjab and another

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. H.S. Brar, Advocate,
for the petitioners.

Sudhir Mittal, J. (Oral)

The predecessor-in-interest of the petitioners purchased certain land in an auction. However, he failed to pay the consideration and, thus, his allotment was cancelled. Subsequently, he has been ordered to be evicted in proceedings initiated under the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973 (hereinafter referred to as '1973 Act'), vide order dated 20.09.2013. Appeal has also been dismissed.

Learned counsel for the petitioner submits that the High Court had remanded the case to the Appellate Authority vide order dated 16.11.2016 for a decision of the appeal on merits. However, the Appellate Authority did not give adequate opportunity to the petitioners. The counsel engaged by them expired and the petitioners were not given notice to enable them to replace the counsel.

From the record, it is apparent that the order of cancellation of allotment was never challenged. Thus, the petitioners and their predecessor became unauthorized occupants of public land and they were bound to be

evicted in proceedings initiated under the 1973 Act. Under the circumstances, no useful purpose would be served by remanding the case to the appellate authority once again.

Thus, the writ petition has no merit and the same is accordingly dismissed.

March 02, 2020
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned **Yes**

Whether Reportable **No**