

CWP-12514 of 2021

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

(PROCEEDINGS THROUGH V.C.)

CWP-12514 of 2021

Date of Decision: 06.08.2021

Hakam Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present:- Mr. Nakul Sharma, Advocate, for the petitioners.
Mr. Avinit Avasthi, AAG, Punjab.
Mr. J.S. Bhandohal, Advocate, for respondent No.4.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court with a grievance that despite they having preferred an appeal along with an application for stay, which has been numbered as Appeal No.538 of 2020 titled as “Hakam Singh and others v. Additional Deputy Commissioner (Development) and another” under Section 11(2) of the Punjab Village Common Lands (Regulation) Act, 1961, the appellate authority being not notified is unable to hear the appeal. This, the counsel contends, is because of the order passed by this Court in CRM-M-49595 of 2007 titled as “Kuldeep Singh v. State of State of Punjab” dated 10.05.2018.

Counsel for the State informs the Court that the State is contemplating filing an application before this Court for seeking approval/permission for notification of the competent authority for

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hearing the appeal in pursuance to the orders dated 10.05.2018 which is likely to be listed within a period of two weeks.

Keeping in view the fact that the appeal of the appellants is pending since long with a prayer for stay, we direct that the Joint Development Commissioner, Rural Development and Panchayat Department, Punjab, exercising the powers of the Commissioner under Section 11(2) of the Punjab Village Common Lands (Regulation) Act, 1961 – respondent No.2, shall consider the application/appeal of the petitioners and take a decision thereon on 06.10.2021. In case of any difficulty on the part of the petitioners they may move an appropriate application before the said authority for either preponement of hearing of the appeal or for any other relief which the petitioners may be advised.

With these observations/directions the present writ petition stands disposed of.

(Augustine George Masih)
Judge

August 06, 2021
R.S.

(Ashok Kumar Verma)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No