

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

108

CWP No.19264 of 2021

Date of decision: 24.09.2021

Rajdawinder Singh and another

..Petitioners

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Satinder Khanna, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (Oral)

Learned counsel for the petitioners has referred to the order/communication dated 19.04.2021 (Annexure P-3) addressed to the Block Development and Panchayat Officer, Kapurthala, District Kapurthala directing the said official to take disciplinary action against the Sarpanch and to get registered case under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 against the unauthorized occupants, who are in possession of the land. He further states that the land, which is the subject of the said order/communication is *Jumla Malkan* and therefore, could not be falling within the jurisdiction of the authority passing the said order. He, however, contends that in response thereof, a representation dated 25.05.2021 (Annexure P-4) has been submitted to the Director, Rural Development and Panchayat, Punjab-respondent No.2, which may be considered by the said authority so that the petitioners do not suffer unnecessary harassment.

The prayer made by learned counsel for the petitioners appears to

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be reasonable and therefore, we dispose of the present writ petition with a direction to the Director, Rural Development and Panchayat, Punjab-respondent No.2 to consider the representation dated 25.05.2021 (Annexure P-4) of the petitioners and in case, some substance is found therein, pass a speaking order and thereafter, proceed in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

24.09.2021
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned Yes

Whether Reportable No