

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

(PROCEEDINGS THROUGH V.C.)

116

CWP-21711-2021

Date of decision : 28.10.2021

Gurmukh Singh and others

Petitioners

V/S

Chandigarh Administration and others

Respondents

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

Present: Mr. Gurcharan Dass, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The petitioners have approached this Court under the apprehension that despite their petition under Section 11 of the Punjab Village Common Land (Regulation) Act, 1961 being pending on remand before the Assistant Collector Ist Grade, U.T. Chandigarh, they would be dispossessed from the land/buildings occupied by them which is the subject matter of the said petition.

A prayer has also been made by the learned counsel for the petitioners that a direction may be issued to the Assistant Collector Ist Grade, U.T. Chandigarh to consider and decide the petition which is pending before the said authority within some specified time.

Mr. Sanjiv Ghai, Advocate who puts in appearance on behalf of the respondents, on instructions from the Assistant Collector Ist Grade, U.T. Chandigarh, informs the Court that the next date of hearing before the said authority is 18.11.2021 and the said authority shall decide the petition within a period of 03 months from the said

date. He further informs the Court that as of now no notice has been issued to the petitioners for either their eviction or their dispossession and therefore, the petitioners are proceeding on mere assumptions.

In the light of the above, we do not find any ground for interfering in the present writ petition. In case any notice is issued by the Municipal Corporation, U.T. Chandigarh to the effect of dispossessing the petitioners without taking appropriate proceedings in accordance with law for their eviction, it would be open to the petitioners to move an appropriate application before the Assistant Collector Ist Grade, U.T. Chandigarh, where the matter is pending, for praying relief against the said action of the Municipal Corporation. The Assistant Collector Ist Grade, U.T. Chandigarh is directed to decide the petition, which has been preferred under Section 11 of the Punjab Village Common Land (Regulation) Act, 1961 by the petitioners, within 03 months which period shall be counted from 18.11.2021.

The present writ petition stands disposed of with above observations and directions.

(AUGUSTINE GEORGE MASIH)
JUDGE

28.10.2021

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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No