

CWP No.2740 of 2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.2740 of 2022

Date of decision : 25.04.2022

Vinay Sharma

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioners.

Mr. S.P.S. Tinna, Addl.A.G., Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In compliance with the order passed by this Court on 14.02.2022, status report by way of affidavit of the Deputy Commissioner, Gurdaspur, dated 25.03.2022 as also another status report by way of affidavit of the District Development and Panchayat Officer, Gurdaspur, dated 28.03.2022, have been filed. In the said status reports, it has been stated that a Committee was constituted in pursuance to the order passed by this Court by the Deputy Commissioner, Gurdaspur, on 22.02.2022 consisting District Development and Panchayat Officer, Gurdaspur, Block Development and Panchayat Officer, Kalanaur and Tehsildar, Dera Baba Nanak, who were directed to conduct a demarcation to identify the illegal encroachments. The demarcation was carried out and completed on 14.03.2022. According to the said demarcation report, Balwant Singh son of Bhagat Singh, Mandeep Masih son of Tarsem Masih, Mukhwinder Singh

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son of Mohan Singh and Balkar Singh son of Hazara Singh were found to be in illegal possession of the Gram Panchayat land. In pursuance to and on finding that these are the persons who are in illegal possession of the Gram Panchayat land, petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, has been filed on 24.03.2022 (Annexure R-3/5). In pursuance thereto, notice has been issued to the respondents and further construction on the land in question has also been stayed vide order dated 24.03.2022 passed by the District Development and Panchayat Officer, exercising the powers of the Collector, Gurdaspur. The petition for eviction is now pending before the said authority for further consideration.

Keeping in view the allegations made in the present writ petition and also acknowledgment of the fact that there is indeed encroachment *prima facie* found on the Gram Panchayat land leading to the initiation of proceedings for eviction of the alleged encroachers, which petition is pending, a direction is issued to the concerned authority to finalize the proceedings within a period of seven months from the next date of hearing fixed before the said authority.

The writ petition stands disposed of with above directions/ observations.

(AUGUSTINE GEORGE MASIH)
JUDGE

25.04.2022
Harish

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No