

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

113

Civil Writ Petition No.5821 of 2022
Date of Decision: May 26th, 2022

Nishan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Jagjot Singh Lalli, Advocate
for the petitioner.

Mr. S.P.S. Tinna, Additional Advocate General, Punjab.

Mr. B.S. Khaira, Advocate
for Mr. J.S. Bhandohal, Advocate
for respondent No.5.

Mr. Ritesh Aggarwal, Advocate
for respondents No.6 and 7.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Having considered the response which has been filed by way of affidavit dated 18.05.202 of the Block Development and Panchayat Officer, Block Ludhiana-1, District Ludhiana, wherein it has been stated in para 8 onwards as follows:-

- “8. *That, accordingly, the petition under Section 11 of the Punjab Village Common Land Act, 1961, has been filed by the Gram Panchayat against the encroachers in the Court of Divisional Director, Rural Development and Panchayat, Patiala, wherein notice has been issued for 16.05.2022 and the same will be decided after providing opportunity of hearing to the respective parties, as per law, in due course of law. A true typed copy of the petition is being annexed herewith as ANNEXURE R-4/2.*
9. *That the office of the answering respondent issued letter dated 18.04.2020 to the revenue authorities i.e. Tehsildar, Ludhiana (West), with regard to make*

*entries in the Jamabandi regarding passing of Status Quo order dated 30.3.2022, passed by this Hon'ble Court. Atreu (sic) translated copy of the letter dated 18.4.2022 is being annexed herewith as **ANNEXURE R-4/3T** and its true copy as **ANNEXURE R-4/3**.*

10. *That, apart from above, the office of the answering respondent also sent a letter dated 18.4.2022 to the office of the Commissioner of Police, Ludhiana, with the request to take legal action against Sanjiv Kumar, Jagjiv Kumar sons of Keshav Chander son of Kanshi Ram, who have got the land in dispute belonging to Gram Panchayats Manj and Fagguwal transferred in the their names on the basis of the forged documents and in connivance and sold the same I the year 2011 to different parties. A true translated copy of the letter dated 25.4.2022 is being annexed herewith as **ANNEXURE R-4/4T** and its true copy as **ANNEXURE R-4/4**.*

11. *That on the receipt of the above information, the office of the Deputy Commissioner, Ludhiana, wrote a letter dated 29.4.2022 to the office of the Finance Commissioner, Government of Punjab, whereby it is informed that the following steps have been taken in the matter:*

1) Petition under Section 11 has been field in the Court of collector-cum-Director, Rural Development and Panchayat, Patiala

2) Regarding the stay over Khasra No., entry has been made in the Jamabandi.

3) It is written by D.D.P.O. Ludhiana to B.D.P.O. to take action as per law and it has been written B.D.P.O. Ludhiana-1 to Police Commissioner, Ludhiana to take action as per law.

A true translated copy of the letter dated 29.4.2022 is being annexed herewith as

***ANNEXURE R-4/5T and its true copy as
ANNEXURE R-4/5. ”***

we direct the competent authority before whom petition under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 i.e. the Divisional Deputy Director, Panchayats exercising the powers of the Collector to consider and decide the same within a period of four months from the next date of hearing fixed before the said authority i.e. 30.05.2022.

Till then, the interim order passed by this Court shall continue.

The writ petition stands disposed of accordingly with above directions.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

May 26th, 2022
Puneet

**(SANDEEP MOUDGIL)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No