

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6869-2022

Date of decision : 18.05.2022

Gram Panchayat Village Chanan Wala

.....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Mr. Raman Goklaney, Advocate has put in appearance and filed his Power of attorney on behalf of respondent No.5-Gram Panchayat, in the Court, which is taken on record.

In compliance with the order dated 02.05.2022, costs of Rs.10,000/- as imposed by this Court, stands deposited on 17.05.2022, receipt of which has been appended as Annexure R-I along with a short reply which has been filed by way of an affidavit dated 17.05.2022 of the Block Development and Panchayat Officer, Fazilka (Additional charge).

In Paras 4 and 5 it has been stated as follows:-

4. That the grievance of the Petitioner- Gram Panchayat as raised in the present petition has been redressed. The land has been got distributed amongst Petitioner- Gram Panchayat and Respondent No.5- Gram Panchayat proportionally. The recommendations/proposal of distribution of land between Gram Panchayat Muthian Wali and Gram Panchayat-Chanan Wala was sent to competent authority i.e. Divisional Deputy Director, Rural Development and Panchayats, Ferozepur vide letter

No.626 dated 10.05.2022 after completing all the formalities for his approval. Divisional Deputy Director, Rural Development and Panchayat, Ferozepur approved the same vide order dated 16.05.2022 and the copy of the same annexed with the reply as **Annexure R-2**.

5. That as per order dated 16.05.2022 passed by Divisional Deputy Director Rural Development and Panchayat out of total land measuring 265 Kanals 16 Marlas, land measuring 148 Kanals 1 Marla fell into the share of Petitioner (Gram Panchayat Chananwala) and land measuring 117 Kanals 15 Marla fell into the share of respondent No.5 (Gram Panchayat, Village Chananwala). With the passing of the said order, the grievance of the petitioner Gram Panchayat as raised in the present petition has been redressed. It has been mentioned in the order dated 16.05.2022 that in case anybody have any objection regarding the distribution, he can prefer an appeal against the same under Section 201 of Punjab Panchayati Raj Act, 1994 before the Appellate Authority.

In the light of the above, with the order having been passed by the competent authority dated 16.05.2022 (Annexure R-2), whereby the property has been divided/distributed amongst the two Gram Panchayats, the present writ petition has been rendered infructuous.

Dismissed as having been rendered infructuous.

It would be open to the parties to avail of their remedies in accordance with law, if need be.

(AUGUSTINE GEORGE MASIH)
JUDGE

May 18th, 2022

(SANDEEP MOUDGIL)
JUDGE

ps-I

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No