

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

CWP-6602-2019

Date of Decision: 17.10.2022

Jarnail Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. J.K. Singla, Advocate
for the petitioners.

Mr. Sandeep Jain, Additional A.G., Punjab
for respondents No.1 to 3/State.

Mr. Neeraj Sharma, Advocate
for respondent No.4.

Mr. P.S. Dhaliwal, Advocate
for respondents No.5 to 8.

LISA GILL J. (ORAL)

Prayer in this writ petition is for issuance of direction to respondents No.1 to 4 to take action for removal of unauthorized occupants/encroachers upon land of Pond comprised in Khasra No.349 (19-6), 354 (8-10).

Written statement dated 19.10.2021 on behalf of respondent No.4 stands filed wherein it is stated as under:

“3. *That the Nagar Panchayat, Bhikhi was informed*

that the private respondents No.5 to 8 are in unauthorized possession of Khasra No.349 and 354 and accordingly notices were issued for vacating the unauthorized possession over the land. The respondents No.5 to 8 did not vacate the unauthorized possession, thereafter the Nagar Panchayat, Bhikhi filed respective petitions under Sections 4, 5 & 7 of the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973 before the Sub-Divisional Magistrate, Mansa against respondents No.5 to 8. The Case No.9/2021 titled as “Nagar Panchayat, Bhikhi Vs. Harmail Singh” has been filed against respondent No.5, Case No.8/2021 titled as “Nagar Panchayat, Bhikhi Vs. Sant Singh” has been filed against respondent No.6, Case No.12/2021 titled as “Nagar Panchayat, Bhikhi Vs. Balwinder Singh and Ors.” has been filed against the legal heirs of respondent No.7 since Balvir has expired and Case No.10/2021 titled as “Nagar Panchayat, Bhikhi Vs. Makhan Lal” has been filed against respondent No.8. The aforesaid petitions were filed on 04.03.2021 and are now listed for hearing for 05.08.2021. The private respondents No.5 to 8 have appeared in the aforesaid petitions and are listed for further hearing.”

Learned counsel for respondent No.4 submits that proceedings as initiated against respondents No.5 to 8 are pending adjudication for 21.10.2022 with the said respondents having appeared before the authorities concerned and filed their respective written statements.

Keeping in view the facts and circumstances but without expressing any opinion on merits of the matter, this writ petition is disposed of at this stage while directing the competent authority to conclude the pending proceedings expeditiously and preferably within two months from

the next date fixed before it, in accordance with law and after affording due opportunity of hearing to all concerned/affected parties.

(LISA GILL)
JUDGE

17.10.2022
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No