

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

Civil Writ Petition No. 9802 of 2022

Date of Decision: August 24 , 2022.

Gurdip Singh and another

..... PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT (s)

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

Present: Mr. Hardip Singh, Advocate
for the petitioners.

Mr. K.S.Kang, Sr.DAG, Punjab.

Mr. Manbir Singh Batth, Advocate and
Mr. Sarman Singh Gill, Advocate
for respondent No.5.

Mr. D.S.Randhawa, Advocate
for respondent No.6.

Mr. Jatinder Singh, Advocate
for respondents No.7 and 8.

Mr. GPS Bal, Advocate
for respondents No.9 to 12.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for directing the official respondents to remove illegal encroachment carried out by unscrupulous persons placing Sri Guru Granth Sahib and raising Nishan Sahib within the precincts of Sports

Stadium built by Gram Panchayat, Neelpur on about 20 acres of *Shamlat* land

and direct respondents No.1 to 3 to inquire into alleged illegal allotment of large chunk of *Shamlat* land stated to have been made by respondents No.7 and 8 between the years 2019 to February, 2022 i.e., after issuance of notification dated 02.08.2019 (Annexure P9) whereby village Neelpur was merged with Municipal Council, Rajpura.

While noting contentions on behalf of the petitioners, it was directed by the coordinate Bench on 10.05.2022 that Deputy Commissioner, Patiala shall ensure that in case gate of the stadium has been blocked/locked, the same be immediately opened and proper security be provided therein so as to ensure that there is no expansion of further encroachment. Removal of encroachment was directed to be ensured at the earliest.

Compliance report by way of affidavit dated 18.08.2022 of Ms. Sakshi Sawhney, IAS, Deputy Commissioner, Patiala and Status Report by way of affidavit dated 23.08.2022 of Mr. Surinder Mohan, PPS, Deputy Superintendent of Police, Sub Division Rajpura, filed in Court today, are taken on record subject to just exceptions.

It is informed by learned counsel for the State that entire encroachment at the stadium at village Neelpur, Tehsil Rajpura, District Patiala has been removed. Reference is made to the report of Executive Officer, Municipal Council, Rajpura as well as Sub Divisional Magistrate, Rajpura. It is informed that Shri Guru Granth Sahib placed in the building of Sports Stadium has been shifted to Gurudwara Sahib, Kharoli under supervision of the Granthis in consonance with Sikh Maryada. Every article which may be connected thereto has also been removed from the premises accordingly.

Learned counsel for the petitioners does not deny that all

encroachment has indeed been removed from the stadium. However, in respect to the prayer regarding illegal allotment of *Shamlat* land, it is submitted that action is yet to be taken.

Learned counsel for the State, on instructions from Mr. Sangeet Kumar, Executive Officer, Municipal Council, Rajpura, submits that any/all allotments which may have been made by respondent No.7 after issuance of notification dated 02.08.2019, shall be reviewed within a period of two months from receipt of certified copy of this order and in case allotments, if any, are found to have been made dehors the provisions of law, necessary action shall be taken in accordance with law after affording due opportunity to all concerned/affected parties within the next two months thereafter.

Keeping in view the facts and circumstances of the case and statement of learned counsel for the State as above, no further orders are called for in this writ petition at this stage.

However, it is made clear that necessary action with regard to allotments, if any, made after issuance of notification dated 02.08.2019 be taken in accordance with the statement made as above.

Writ petition is disposed of accordingly.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

August 24 , 2022.
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No