

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

221

**Civil Writ Petition 10879 of 2019 (O&M)
Date of Decision: September 27, 2022**

Sukhdev Singh

...Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM : HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE N.S.SHEKHAWAT**

Present:- Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Maninder Singh, DAG, Punjab.

Mr. P.S. Guliani, Advocate
for respondent No. 8.

Mr. J.S. Lalli, Advocate
for respondents No. 9 to 11.

Mr. Harjinder Singh, Advocate for
Mr. R.S. Athwal, Advocate
for respondent No. 12.

SURESHWAR THAKUR, J. (Oral)

1. Though the learned State counsel as well as the learned counsel appearing for the Gram Panchayat concerned besides the counsel for the private respondents submit, that the warrants of possession as carried in Annexure P-6, have been completely enforced and implemented. However, the learned counsel for the petitioner has contested the above fact, but the above contest does not appear to be holding any validity, as in pursuance to the directions as made by this Court on 14.09.2021, the learned State counsel submits, that a after valid demarcation being conducted, the authorities concerned have completely executed Annexure P-6.

2. However, yet if the demarcation report, which preceded the execution of Annexure P-6, if yet is wanting an legal sanctity, it cannot yet be challenged before this Court. Remedy, if any, to challenge the relevant demarcation, is available to the aggrieved, through his making a motion before the learned Collector concerned.

3. Thus, upon the above motion being made before the Collector concerned, against the validity of demarcation, as conducted by the authorities concerned, in pursuance whereof, it is disclosed on affidavit, that Annexure P-6 was completely enforced, therefore, the learned Collector concerned may after hearing all the concerned may make lawful orders.

4. If the relevant motion is accepted, resultantly, it is open to the concerned to institute a fresh petition under the relevant provisions of law for seeking ejectment of the encroacher (s) concerned from the Panchayat land.

5. The petition stands disposed off accordingly.

6. Pending applications, if any, also stand disposed off accordingly.

(SURESHWAR THAKUR)
JUDGE

September 27, 2022
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No