

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

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**Civil Writ Petition 17583 of 2020
Date of Decision: October 12, 2022**

Basnat 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. Dinesh Mahajan, Advocate
for the petitioner.

Mr. Maninder Singh, DAG, Punjab.

Mr. Parminder Singh Kumar, Advocate
for respondents No. 7 to 9.

Mr. Amit Arora, Advocate for
Mr. Vivek Chauhan, Advocate
for respondent No. 10.11.2022

Mr. Naresh Jain, Advocate
for respondent No. 11.

SURESHWAR THAKUR, J. (Oral)

1. Learned counsel appearing for respondent No. 8 submits that the tenure of the grant was only up to 2021. He further submits that the deposit of the lease amount, though was attempted to be refunded to the petitioner, through cheque No. 000113 dated 07.10.2020 drawn on HDFC Bank, VPO Harchowal, Gurdaspur, but the same was returned by the grantee, to the Patwari of the Mohal concerned.

2. In view of the above, and, also when the leasing of the writ lands to the petitioner, is not free from any encumbrances inasmuch as, thereons co respondent No. 11 is in illegal possession. Moreover when the proceedings for eviction of respondent No. 11 from the lease land, is *subjudice* before the Collector concerned.

Therefore, the cumulative effect of the above, is that, the writ petition

does not survive, and, is disposed off as becoming rendered infructuous.

3. Liberty is reserved to the petitioner to, yet, seek refund of the auction deposit as made, before the Panchayat concerned.

4. Liberty is also reserved to the petitioner to, in civil proceedings claim damages qua the possession of the Panchayat land concerned being not forthwith handed over to him.

5. Pending applications, if any, stand disposed off accordingly.

(SURESHWAR THAKUR)
JUDGE

October 12, 2022
amit rana

(N.S.SHEKHAWAT)
JUDGE

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