

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

CWP-21869-2022

Date of Decision: 17.11.2022

MANJIT SINGH

.... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CWP No. 23774 of 2022

GURMIT SINGH

.... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Vijay Kumar, Advocate for
Mr. Sunil Agnihotri, Advocate
for the petitioners.

Mr. Sandeep Jain, Additional A.G. Punjab.

LISA GILL, J.

This order shall dispose of CWP-21869-2022 and CWP-23774-2022, which are taken up together for hearing and decision at request and with consent of learned counsel for the parties.

Prayer in both these writ petitions filed by two different persons claiming to be residents of village Mirpur, is for directing respondent no.5 i.e. the Sarpanch of Gram Panchayat Mirpur, Block Dasuya, Tehsil Dasuya, District Hoshiarpur, to take necessary action for removal of illegal encroachments. It is alleged that 11 persons were found to have encroached upon the Gram Panchayat land, however, respondent no.5 initiated proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 only against four persons. No action, it is stated has been taken by respondent no.5 against the other seven persons in an illegal

Learned counsel for the State in CWP-21869-2022 was directed to file status report. Though, status report has not been filed, learned counsel for the State, on instructions from Mr. Balwinder Pal, SEPO, Dasuya, submits that when despite directions no action was taken by respondent no.5 for removal of encroachment by the other seven persons, an Administrator has been appointed vide order dated 07.10.2022, for taking necessary action for removal of the encroachment. Pursuant thereto, petitions under Section 7 of the 1961 Act have been filed against rest of the seven persons, stated to be in illegal possession of the Gram Panchayat land. It is submitted that the Administrator shall continue to pursue these matters while taking it to its logical end. Learned counsel for the State further submits that keeping in view the above, both these writ petitions are rendered infructuous.

Learned counsel for the petitioner(s) is unable to deny the same. No further orders are thus called in these writ petitions. However, it is directed that pending petitions under Section 7 of the 1961 Act as above, be decided by the competent authority expeditiously and definitely within a period of three months from receipt of certified copy of this order, after affording proper opportunity of hearing to all concerned.

Both the writ petitions are disposed of accordingly.

A photocopy of this order be placed on the file of above mentioned connected case.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

17.11.2022

Sunil

Whether speaking/reasoned: Yes/No