

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

Civil Writ Petition No. 37657 of 2018

Date of Decision: November 09 , 2022.

Harchand Singh and another

..... PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT (s)

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

Present: None for the petitioners.

Mr. Sandeep Jain, Addl.AG, Punjab.

Respondents No.6 and 7 *ex parte*.

LISA GILL, J.

Prayer in this writ petition is for directing respondents No.2 and 3 to carry out demarcation of Gram Panchayat land measuring 11 Bhigha 5 Biswa bearing Khasra No. 1(3-4) situated in the revenue estate of village Takhtu Majra, Tehsil Rajpura, District Patiala as per Jamabandi for the year 2016-2017 as it is asserted that there is illegal encroachment over the said *Shamlat* land. Further prayer is for recovery of the amount from respondent No.6, stated to be an ex-Sarpanch of Gram Panchayat Takhtu Majra, who purportedly earned by selling earth lifted from the *Shamlat* land. Possession of said land, it is prayed, should be handed over to the Gram Panchayat.

Short reply by way of affidavit dated 19.12.2019 of Ms. Sarabjit Kaur, Block Development and Panchayat Officer, Shambhu Kalan, District Patiala stands filed, wherein it is stated as under:-

to Tehsildar, Rajpura for conducting the demarcation report. The demarcation of the disputed property has been conducted by the Revenue Authorities, Rajpura. As per the demarcation report there is no illegal encroachment of any kind by any person. The land in question is under the lawful possession of the Gram Panchayat, Takhtu Majra, Tehsil Rajpura, District Patiala. No further action is required as per demarcation report. Thus the present writ has become infructuous, which deserve to be dismissed having rendered infructuous. The copy of demarcation report is annexed herewith as Annexure R-1.”

Despite the matter being called twice, none has appeared on behalf of the petitioners. It is relevant to note that there is no replication to reply dated 19.12.2019 filed by the petitioners controverting the averments therein. Gram Panchayat Takhtu Majra is not impleaded as party to the writ petition for reasons best known to the petitioners.

Keeping in view the facts and circumstances as above and the specific reply dated 19.12.2019, we do not find any reason for continuance of the present proceedings. This writ petition is, accordingly, disposed of as infructuous.

Liberty is afforded to the petitioners to move an appropriate application within four weeks from today in case there is any factual inaccuracy in the facts put-forth before this Court.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

November 09 , 2022.
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