

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

**CM-11697-CWP-2021 in/and
CWP-34708-2019 (O&M)**

Date of Decision: 20.09.2022

MALKIAT SINGH AND OTHERS
Versus

..... Petitioner(s)

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

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

Present: Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. K.S. Kang, Senior D.A.G. Punjab.

Mr. Ramesh Sharma, Advocate
for the applicant/respondent no.6.

LISA GILL, J.

CM-11697-CWP-2021

For the reasons mentioned in the application, duly supported by an affidavit of the applicant, same is allowed as prayed for. Written statement filed on behalf of respondent no.6, is taken on record, subject to just exceptions.

Application is disposed of.

CWP-34708-2019

Short reply by way of affidavit dated 19.09.2022 of Mr. Sandeep Singh, BDPO, Shahkot, District Jalandhar, on behalf of respondents no.1 to 5, filed in Court today with copy thereof to learned counsel for the petitioners, is taken on record, subject to just exceptions.

Learned counsel for the State while referring to affidavit dated 19.09.2022 submits that necessary action has been taken in this matter and demarcation of the land was conducted by the Tehsildar Shahkot on 19.01.2022, wherein it was found that seven persons were in illegal possession.

Five out of the seven persons namely Kuldeep Singh son of Mahinder Singh,

Balvir Singh, Taru Minda, Malkit Singh son of Harbans Singh and Dasunda Singh son of Bhajan Singh have removed all kinds of illegal encroachment as reported in the demarcation report and possession thereof has been handed over to the Gram Panchayat. Resolution dated 27.01.2022 was passed by the Gram Panchayat in this respect. Civil Suit is stated to have been filed by one Balkar Singh son of Danda Singh, which is pending adjudication and that action in this regard would be taken accordingly and in regard to 7th person in illegal occupation, namely Davinder Singh son of Udham Singh, petition under Sections 4, 5 and 7 of the Punjab Public Premises and Land (Eviction & Rent Recovery) Act, 1973 (for short 'the Act') has been filed and is listed for hearing on 20.09.2022.

Learned counsel for the respondents submit that necessary action in respect to the abovesaid two persons shall be taken in accordance with law and that grievance raised by the petitioners in this writ petition stands redressed and the writ petition is rendered infructuous. Learned counsel for the petitioners is unable to deny the same.

Writ petition is accordingly disposed of as infructuous. It is, however, directed that petition under Sections 4, 5 and 7 of the Act, be decided expeditiously by the competent authority and the Civil Court would also decide the matter in an expeditious manner especially keeping in view the directions issued on 04.10.2008 while disposing of CWP-4886-2003.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

20.09.2022
Sunil

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