

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-35055-2019 (O&M)
Date of Decision: 07.12.2022

NARAYAN SINGH
Versus

..... Petitioner(s)

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

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

Present: Mr. Sandeep Kumar, Advocate for
Mr. Simranjeet Singh, Advocate for the petitioner.

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

Mr. Gurmanpreet Singh, Advocate
for respondent no.10.

LISA GILL, J.

Prayer in this writ petition is for directing respondents no.3 and 4 to take necessary steps for removal of illegal encroachment, stated to be carried out by respondent no.11.

Reply by way of affidavit dated 07.12.2022 of Mr. Pardeep Sharda, Block Development and Panchayat Officer, Nabha, District Patiala, on behalf of respondents no.2, 5 and 6, filed in Court today, is taken on record, subject to just exceptions. Reply filed on behalf of respondent no.10 is also taken on record, subject to just exceptions. Copy of the replies has been supplied to learned counsel for the petitioner.

Learned counsel for the State while referring to the reply dated 07.12.2022 on behalf of respondents no.2, 5 and 6 submits that this writ petition is rendered infructuous as after demarcation, petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short '1961 Act') has been filed by the Gram Panchayat seeking ejectment of respondent no.11 from the land in question. Copy of ejectment petition is attached as Annexure R-1 and that of demarcation report dated 17.10.2018 is attached as Annexure R-2.

Keeping in view the facts and circumstances as above but without expression of opinion on the merits of the matter, this writ petition is disposed of with a direction to the competent authority to decide the petition under Section 7 of the 1961 Act, in accordance with law, expeditiously and preferably within four months from the next date fixed before it, after affording due opportunity to all concerned.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

07.12.2022
Sunil

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