

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

CWP-34421-2019

Date of Decision: November 22, 2022

PRITHVI RAM AND OTHERS

..... Petitioners

Versus

STATE OF PUNJAB AND ORS

..... Respondents

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

Present: Mr. K.S. Sidhu, Advocate for the petitioners.

Mr. K.S. Kang, Sr.DAG, Punjab.

Mr. Naveen Sharma, Advocate for
Mr. R.S. Sethi, Advocate for respondent No. 5.

Mr. Jagdeep Singh Rana, Advocate for respondents No. 6 & 7.

LISA GILL, J.

Prayer in this writ petition is for directing the respondents to remove encroachment stated to have been carried out by respondents No. 7 in connivance with respondent No. 6, who was the then outgoing Sarpanch of village Daulatpura over land comprised in Rectangle No. 27, killa No. 3/1 min (0-5) belonging to the Gram Panchayat, Daulatpura. It is averred that despite Gram Panchayat passing resolution dated 16.01.2019 for removal of illegal encroachment by respondent No. 7, no action was being taken. Representations submitted for removal of said encroachment were also not acted upon. Therefore, this writ petition was filed.

Learned counsel for the State, on instructions from Sh. Nanak

Chand, Panchayat Secretary, Khurian Sarwar, Abohar had informed this

Court on 14.11.2022 that petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 filed for eviction of respondent No. 7 from the land in question was allowed on 17.08.2022 and warrant of possession was issued on 01.11.2022. Writ petition was adjourned at request of learned counsel for the petitioners for today on the ground that counsel representing the petitioners earlier had been elevated to the Bench of this Court.

Today, it is informed that appeal has been preferred by respondent No. 7 challenging order dated 17.08.2022 and status quo regarding possession therein has been ordered.

Keeping in view the facts and circumstances as above but without expression of any opinion on the merits of the case, this writ petition is disposed of with the direction to the competent authority to expeditiously decide the abovesaid appeal filed by respondent No. 7 in accordance with law, after affording an opportunity of hearing to all concerned and definitely within a period of two months from the date fixed before the said authority. Needless to say, necessary action shall be taken by the authorities in consonance with the decision which may be rendered in the appeal.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

November 22, 2022
rts

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