

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

**CWP-84-2020 (O&M)
Date of Decision: 12.12.2022**

HARBHAJAN SINGH NAMBARDAR

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

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

Present: Ms. Neeraj Chandel, Advocate
for the petitioner.

Mr. K.S. Kang, Senior D.A.G. Punjab
for respondents no.1 to 5.

Mr. V.K. Sandhir, Advocate
for respondents no.6 and 7.

LISA GILL, J.

Prayer in this writ petition is for directing respondents no.2 to 5 to take necessary action for removal of illegal encroachment upon the Gram Panchayat land as alleged by the petitioner in his representation dated 05.11.2019 (Annexure P-1).

Learned counsel for respondents no.6 and 7 while referring to the reply dated 12.09.2022, filed on behalf of the Gram Panchayat, submits that this writ petition is rendered infructuous as demarcation of the area was carried out by the Revenue Authorities on 12.11.2020, according to which seven persons were found to be in illegal possession of the area i.e. Khasra No.126. Respondents no.6 and 7, it is submitted, have not encroached upon any land as alleged in the writ petition as wall in question was constructed

by the Gram Panchayat on the South side of Jandewala Chappar/pond in order to safeguard the area of the pond. In so far as the seven persons who were found to be in illegal occupation of the Gram Panchayat land on Khasra No.126, petitions under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (hereinafter referred to as the 1961 Act), have been filed and are being pursued in right earnest.

Learned counsel for the petitioner is unable to deny that in view of the reply on behalf of respondent no.6 as above, present writ petition is indeed rendered infructuous. It is, however, prayed that the pending petitions under Section 7 of the 1961 Act may be ordered to be decided expeditiously by the competent authority in a time bound manner.

Keeping in view the facts and circumstances as above, this writ petition is disposed of as infructuous. The competent authority is directed to decide the above said pending petitions under Section 7 of the 1961 Act within a period of four months, after affording due opportunity to all concerned.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

12.12.2022

Sunil

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