

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 10881 of 2012 (O&M)

Date of Decision: 01.3.2023

Sewa Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Rakesh Gupta, Advocate
for the petitioners.

Ms. Monika Jalota, Sr. DAG, Punjab.

Mr. C.L.Premy, Advocate and
Ms. Raman Rekhi, Advocate
for the respondent-Gram Panchayat.

SURESHWAR THAKUR, J. (ORAL)

1. Though, the petitioners have suffered concurrently made verdicts of eviction from both the learned authorities below. However, today the learned counsels appearing before this Court, are ad idem, that in terms of the verdict drawn by this Court on 2.6.2016, upon CWP No. 5303 of 2015, the instant writ petition be also disposed of.

2. Therefore, in the light of paragraph 6 of the verdict (supra), para whereof stands extracted hereinafter, the instant writ petition is disposed of.

“The petitioners cannot have unauthorized possession of the Gram Panchayat land and run their shops. In view of the above-stated report submitted by Deputy Commissioner, Hoshiarpur, we dispose of the writ petition with a direction that if the petitioners come forward to pay rent @ Rs. 7 per sq.ft. per month subject to suitable revision of rent after every

three year, the Gram Panchayat may lease out the shops to them for the period which it may deem appropriate.

3. The assessment of rent, as made by the Deputy Commissioner, Hoshiarpur, is clarified to be strictly in terms of the above extracted paragraph. Moreover, it is also directed, that if the petitioners do not, in terms of the above extracted paragraph, carried in the judgment (supra) hence, make the deposit of the rent, as becomes quantified by the Deputy Commissioner, Hoshiarpur, thereupon the Gram Panchayat concerned, shall be at liberty to institute an execution application before the Collector concerned, for completely enforcing, and, executing the concurrently made verdicts of eviction, drawn by both the authorities below against the writ petitioners.

4. The pending application(s), if any, is/are also disposed of.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

March 01, 2023
Gurpreet

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