

CWP-13703-2023

Date of Decision :03.07.2023

GURBAKSH SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia.
Hon'ble Mr. Justice Vikram Aggarwal.

Present : Mr. Prateek Pandit, Advocate for the petitioners.

B.S. Walia, J. (Oral)

[1] A perusal of the writ petition reveals that the same has been
filed with the following prayer:-

“CWP under Articles 226 and 227 of the Constitution of India seeking a writ in the nature of mandamus directing respondent Nos.1 to 4 to get panchayat land of Gram Panchayat Village FattuChak Tehsil Dhilwan, District Kapurthala vacated from illegal occupation by the residents of the village who have constructed houses/Havelis etc. on land reserved for Schools, Grounds, Cremation ground, Hospital etc. as the Shamlat/panchayat land has illegally been occupied with the connivance of the Sarpanch. Further, an appropriate writ order or direction to respondent No.3 to consider and act upon the representation, Annexure P/4 dated 14.09.2022 submitted by the residents of the village.”

[2] However, at the outset, learned counsel for the petitioners states that the petitioners would be satisfied if the instant petition is disposed of by directing respondent No.3 i.e. Deputy Commissioner, District Administrative Complex, Kapurthala, District Kapurthala, Punjab to consider and decide representation, Annexure P/4 dated 14.09.2022 in accordance with law in a time bound manner.

[3] Notice of motion.

[4] Mr. Mohit Kapoor, Addl. A.G., Punjab accepts notice and states that he has no objection to the limited prayer made by learned counsel for the petitioners.

[5] In view of the limited prayer made by learned counsel for the petitioners as well as the statement of learned Addl. A.G., the instant petition is disposed of by directing respondent No.3 i.e. Deputy Commissioner, Kapurthala, District Kapurthala, Punjab to consider and decide representation, Annexure P/4 dated 14.09.2022 in accordance with law as expeditiously as possible, preferably within three months from today and take such action pursuant thereto, if any warranted, in accordance with law.

(B.S. Walia)
Judge

(Vikram Aggarwal)
Judge

03.07.2023
'Amit'

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