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

CWP-10220-2018

Date of Decision: December 19, 2023

Gram Panchayat and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Vijay Sharma, Advocate
for the petitioners.
Ms.Akshita Chauhan, Deputy Advocate General, Punjab.
Mr.N.S.Gill, Advocate
for respondents No.4 and 5.
Mr.A.S.Dhindsa, Advocate
for respondent No.6.

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RAJESH BHARDWAJ, J.(ORAL)

Petitioners have approached this Court praying for issuance of direction to the respondents to take immediate action for challenging the ex parte judgment and decree dated 25.10.2000 (Annexure P-4) procured by Karnail Singh and Mihan Singh by playing fraud with the Court by filing suit against dead person; and to take the land measuring 14 bigha 11 biswa comprised in Khewat No.58 Khatoni No.208, Khasra No.217 (4-5), 218 (3-10), 633/219 (1-3), 635/220 (3-7) and 637/221 (2-6) situated in village Dudhan Sadhan Tehsil and District Patiala according to Jamabandi 1998-99 which has devolved upon State of Punjab by virtue of Section 29 of the Hindu Succession Act. It is further prayed to take possession of above said land and use it for common purposes of the village Dudhan Sadhan Tehsil and District Patiala.

In pursuant to the order, dated 04.12.2023 passed by this Court,

learned State counsel has filed the status report, dated 18.12.2023, by way of affidavit of Kirpal Vir Singh, PCS, Sub Divisional Magistrate, Dudhan Sadhan, District Patiala, on behalf of respondents No.1 to 3. She has submitted that as the matter was not in the knowledge of the respondents, now the same has been sent to learned Financial Commissioner Revenue, Punjab, Chandigarh, for according sanction to avail appropriate remedy against the judgment and decree dated 25.10.2000, passed by learned Civil Judge. Thus, it has been submitted that necessary further action would be taken after taking the necessary sanction.

Learned counsel appearing for the respondents have submitted that the petitioners have no locus standi as the civil suit filed by them has already been dismissed.

In view of the above statement made by learned State counsel, learned counsel for the petitioners has submitted that the State should be directed to expedite the further action.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to the respondents/State to take the necessary further action for according sanction expeditiously preferably within three months from the date of receipt of a certified copy of this order. However, the petitioners would be at liberty to pursue their remedies as available to them in accordance with law.

December 19, 2023

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No