

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**CWP-21633-2016****Date of decision : 22.05.2023**

HARCHAND SINGH AND ORS.

-PETITIONERS

VERSUS

JOINT DEVELOPMENT COMMISSIONER PUNJAB AND ORS.

-RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**Present : Ms. Naiya Gill, Advocate
for the petitioners.

Mr. Maninder Singh, DAG, Punjab.

KULDEEP TIWARI, J.

1. Through the instant writ petition, the petitioners have challenged the validity of order dated 01.09.2016 (Annexure P-8), drawn by the respondent No.1, whereby, the status quo order dated 25.02.2016, passed in Appeal No.202/2015, as preferred by the petitioners against the order made on 26.06.2015 (Annexure P-5), has been ordered to be vacated.

2. The petitioners have raised the challenge (supra), on the premise, that a title suit qua the petition land(s), under Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 (hereinafter referred to as the 'Act of 1961'), as filed before the learned Collector concerned, was dismissed vide order dated 27.09.2012, and, the appeal preferred thereagainst, was also dismissed by the learned statutory appellate authority, on 19.02.2015. However, during the pendency of the title suit (supra), the Gram Panchayat

concerned, instituted a petition under Section 7 of the Act of 1961, thereby seeking the eviction of the petitioners from the petition land(s), and, which relief was indeed granted by the learned Collector concerned, on 26.06.2015 (Annexure P-5). The petitioners challenged the eviction order (supra) by filing a statutory appeal before the respondent No.1, wherein, initially status quo was ordered, however, ultimately the respondent No.1 ordered vacation of the status quo, vide order dated 01.09.2016 (Annexure P-8).

3. Against the concurrent verdicts of dismissal, as drawn upon the title suit (supra) of the petitioners, a challenge was laid before this Court by filing CWP-15261-2016. Therefore, the eviction order (supra), as passed by the learned Collector concerned, could not be executed against the petition land(s).

4. However, since CWP-15261-2016, as preferred before this Court, is dismissed vide an order of even date, passed by this Court, therefore in view of such a verdict of dismissal, the present petition becomes rendered infructuous and warrants no further order.

5. In sequel, the present petition is dismissed having been rendered infructuous.

(SURESHWAR THAKUR)
JUDGE
22.05.2023
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether reportable ? Yes/No