

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

220

CWP-23297-2017

Date of Decision : **January 09, 2023**

JAGTAR SINGH AND ORS

.....Petitioners

VERSUS

**JOINT DEVELOPMENT COMMISSIONER IRD RURAL
DEVELOPMENT AND PANCHAYAT DEPT PB AND ORS**

.....Respondents

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

Present : Mr. N.P.S.Mann, Advocate
for the petitioners.

Mr. Paramjit Batta, Addl. AG, Punjab.

Mr. Nakul Sharma, Advocate
for respondent No.3.

SURESHWAR THAKUR, J.(ORAL)

1. Through concurrent order becoming made by the statutory authorities concerned, the petitioners were declared to be holding unauthorized possession of the writ lands. The above declaration led to a concurrent conclusions being made by the statutory authorities concerned, qua the petitioners being liable to be evicted from the petition lands.

2. The petitioners became aggrieved from the above stated concurrently made orders by the statutorily authorized competent authorities, and, were led to institute the instant petition before this Court. However, this Court though did not restrain the respondents concerned, from assuming possession of the petition lands, but through an order made on 30.10.2017, this Court made a direction that status-quo in respect of possession of the petition lands as obtaining on the said day, rather be maintained in respect of the writ lands.

3. However, a perusal of Annexure R-1, appended with the reply/affidavit furnished to the writ petition by the State of Punjab, reveals that prior thereto the respondents concerned, hence ensured to make the completest execution of the warrants of possession, as made in respect of the petition lands. Therefore, but obviously there is no breach of the order of status-quo, as made by this Court on 30.10.2017.

4. Be that as it may, since the petitioners' claim for possession, over the petition lands have been rejected through orders made by both the authorities below, and, as also when the eviction order as made upon the petitioners, has been completely executed, therefore, with the execution of warrants of possession as made in respect thereof, this Court finds no merit in the present petition, and, is constrained to dismiss it.

5. The predominant reason for dismissing the petition, is grooved in the factum, that the learned counsel for the petitioners, has not been able to, during the course of arguments being addressed, before this Court, make any valid challenge to the entries in the revenue record, wherein, their names do not occur either in the ownership column, or, in the column of possession, but has rested his arguments only on the ground, that he has moved an application for correction of relevant entries, before the competent authorities concerned. If so, as and when an order favourable to the petitioners is made on the said application, thereupon, it is open to the petitioners to in accordance with law hence seek restitution of the possession of the petition lands, as obtained by the respondents concerned, through Annexure R-1.

6. Dismissed accordingly.

(SURESHWAR THAKUR)
JUDGE

January 09, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No