

CWP-19510-2022 (O & M)
Date of Decision : 14.03.2023

BALWINDER SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**Present : Mr. Buta Singh Bairagi, Advocate
for the petitioner.

Ms. Monika Jalota, Sr. DAG, Punjab.

SURESHWAR THAKUR, J. (Oral)

1. Since, the learned State counsel, on instructions imparted to her by Sh. Dharam Pal Sharma, BDPO, Jaito, submits that except khasra No. 1609, proceedings for evicting the encroachers thereons, are pending/initiated or stand already terminated. Thus, the learned counsel for the petitioner, except qua khasra No. 1609, prays and is permitted to withdraw the instant petition.

2. Be that as it may, the learned counsel appearing for the petitioner submits, that insofar as, Khasra No. 1609 is concerned, though it is recorded as Abadi Deh, but there is an allotment of the said Khasra number to the *Harijan* community. If so, and, if physical possession of the above said khasra number becomes granted to the allottees belonging to the *Harijan* Community, therefore, any dispute in respect of un-authorized occupation of khasra No. 1609, by the encroachers thereons, is permitted to be settled through the appropriate legal mechanisms becoming resorted by the petitioner.

3. Consequently, if the petitioner has the relevant *locus standi*, thus, the writ petition is disposed with liberty reserved to the petitioner to institute a civil suit before the civil Court concerned, in respect of Khasra No. 1609, as on the said khasra number a *gair mumkin abadi* exists.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

14.03.2023
kavneet singh

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