

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

CWP-20617-2022

Date of Decision : **February 21, 2023**

GRAM PANCHAYAT VILLAGE RAMGARH SIKRI

.....Petitioner

VERSUS

**DIRECTOR RURAL DEVELOPMENT AND PANCHAYAT
DEPARTMENT AND OTHERS**

.....Respondents

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

Present : Mr. K.S.Dadwal, Advocate for the petitioner.
Mr. Maninder Singh, DAG, Punjab.

SURESHWAR THAKUR. J.(Oral)

1. Though in the instant writ petition no order of remand is made by the learned Appellate Authority concerned, but rather the Appellate Authority has set-aside the order of the learned Collector concerned. However, since the parties in this writ petition, as also the land(s) in the instant petition are similar to the ones in CWP-7172-2018, whereons the learned Appellate Court, has after accepting the statutory appeal concerned, remanded the *lis* to remandee Court. However, the said order has remained uncomplied with. Thus, this Court in CWP (Supra), has therein made certain relevant directions upon the remandee Court. Therefore, this Court after accepting the instant petition, does also yet direct the learned Collector concerned, to forthwith draw a fresh lawful decision upon the relevant *lis*. Resultantly, the above is required to avoid the makings of conflicting decisions upon the *lis* remanded by this Court through an order drawn on CWP (Supra) viz-a-viz the *lis* appertaining to the instant petition. Consequently, this Court after quashing and setting aside the order, as becomes carried in Annexure

P-10, hence thereafter remands the *lis* to the learned Collector concerned, but with a direction to the remandee Court, to after restoring the *lis* to its original number to subsequently make a fresh lawful decision thereon, but only after affording an opportunity of hearing to all the affected persons. The said decision shall be made within six weeks from today.

2. It is but expected from the learned Collector concerned, that he shall draw separate lawful decisions on each of the separate petitions concerned.

3. It is stated by the learned State counsel, at the bar, that the Gram Panchayat concerned, has assumed the possession of the petition land(s) therefore, the said assumption of possession of the writ land(s) by the Gram Panchayat concerned, shall be subject to the outcome of the decisions, as become(s) lawfully drawn by the learned Collector concerned on the relevant petition.

4. The parties are directed to record their appearance before the learned Collector concerned, on 3.3.2023.

5. Disposed of.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

February 21, 2023
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No