

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

CWP-25437-2023

Date of Decision : 09.11.2023

WAJIR SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present : Ms. Kamaldeep Kaur, Advocate with
Mr. Buta Singh Bairagi, Advocate
for the petitioner.

Mr. Maninder Singh, DAG, Punjab.

SURESHWAR THAKUR, J. (Oral)

1. The learned State counsel on instructions imparted to him by the concerned, does not oppose the prayer made in the writ petition, that a mandamus be made upon the BDPO concerned, to forthwith institute a petition, seeking thereby the eviction of the encroachers, upon, the land owned and possessed by the Gram Panchayat, but before the learned Collector concerned.

2. Therefore, the said prayer is allowed and a mandamus is made upon the BDPO concerned, to forthwith institute a Section 7 petition of the Punjab Village Common Lands (Regulation) Act, 1961 in respect of the disputed lands before the Collector concerned. On such a petition being filed, it shall be lawfully decided through a speaking decision being made thereons, but the said decision shall be made only after hearing all affected persons concerned, and, shall be positively made within a period

3. Needless to state, that before the institution of the said petition, a valid demarcation shall be made of the petition lands, wherein, the participation of all the aggrieved concerned, shall be elicited and shall also be ensured.

4. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

09.11.2023

kavneet singh

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