

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

108

CWP-26546-2023

Date of decision: 24.11.2023

ZAIL SINGH AND ORS.

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present : Mr. Vikram Singh, Advocate  
for the petitioners.

Ms. Monika Jalota, Sr. DAG, Punjab.

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**SURESHWAR THAKUR, J. (ORAL)**

1. Gram Panchayat Mangewal Block Nabha, District Patiala instituted a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, whereby the said petitioner claimed rendition of a decree of eviction against the respondents from the disputed lands. Through a decision made thereons on 30.05.2023 (Annexure P-1), the Collector concerned assigned the said claimed decree to the Gram Panchayat concerned.

2. The aggrieved judgment debtors concerned, proceeded to make an appeal thereagainst before the Appellate Authority concerned. The said appeal becomes assigned appeal No.PUN/JDC/EV/2023/000587 of 2023. The said appeal is subjudice before the Appellate Authority.

3. However, during the pendency of the said appeal, the Appellate Authority concerned vide Annexure P-3, rendered on 06.07.2023, directed the parties to maintain *status quo* in respect of the petition lands. However, the longevity of the said order was restricted upto 26.07.2023. Therefore, for want of any extension being made to the said order of *status quo*, rather thereby making its lose its efficacy on 26.07.2023, thus on an execution petition becoming instituted by the Gram Panchayat concerned before the Executing Court concerned, rather led to the latter issuing warrants of possession (Annexures P-4 and P-6).

4. The learned counsel appearing for the petitioners submits, that though the petitioners have instituted an application seeking extension of the order of *status quo*, but no decision has been yet made thereons. Moreover, he also submits that the statutory appeal is listed for arguments on 27.12.2023.

5. However, to avoid multiplicity of litigation, as may become aroused in case the warrants of possession are executed against the estates of judgment debtors concerned, inasmuch as, in case the judgment debtors succeed in the statutory appeal concerned, thereby, with the successful judgment debtors, becoming required to be restored the possession of the disputed lands, as may become assumed, by the Gram Panchayat concerned, through the successful execution of the warrants of possession.

6. Therefore, to obviate the above hardship and also to avoid multiplicity of litigation (*supra*), this Court deems it fit and appropriate

to direct the learned Appellate Authority concerned, to, in the first week of January make a verdict upon the statutory appeal.

7. Moreover, it also deemed fit and appropriate to direct the Appellate Authority concerned, seized with the relevant application seeking extension of longevity of the order of *status quo*, to, make a decision thereons within a week from today.

8. Till a decision on the said application is made, especially keeping in view the above observations, the parties are directed to maintain *status quo* in respect of the disputed lands.

9. Disposed of.

(SURESHWAR THAKUR)  
JUDGE

(SUDEEPTI SHARMA)  
JUDGE

24.11.2023

kavneet singh

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