

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

CWP-28264-2023

Date of Decision : 15.12.2023

BALWINDER SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

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

Present : Mr. Rajat Dogra, Advocate
for the petitioners.

Mr. Maninder Singh, DAG, Punjab.

SURESHWAR THAKUR, J. (Oral)

1. The petitioner alleges that the private respondents concerned, have made encroachment(s) upon the land of the village pond. Thus, he makes a prayer that a mandamus be made upon the official respondents concerned, to ensure that the encroacher(s) concerned, are forthwith evicted from the petition lands.

2. Consequently, this Court directs the BDPO concerned, to forthwith institute a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, in respect of the disputed lands before the Collector concerned, who on receiving the same, shall make a lawful speaking decision thereons, but after hearing all affected persons concerned, yet positively within a period of six months from its preferment.

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 with the above directions.

(SURESHWAR THAKUR)
JUDGE

15.12.2023

(SUDEEPTI SHARMA)
JUDGE

kavneet singh

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