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

CWP-28300-2023 (O&M)
Date of decision:21.12.2023

PARMOD KUMAR 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. S.S. Swaich, Advocate
for the petitioners.

Mr. Maninder Singh, DAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

CM-21495-CWP-2023

Allowed as prayed for subject to all just exceptions.

Annexure P-12 is taken on record.

CWP-28300-2023

1. Status report by way of an affidavit has been filed on behalf of respondents No.1 to 3, and, the same is taken on record.
2. The facts as orally stated before this Court by the learned counsel for the petitioners, and, which are not disputed by the learned State counsel, besides which are of dire importance for making an adjudication, upon the instant writ petition, are as follows:-

a) That a petition under Section 7 the The Punjab Village Common Lands (Regulation) Act, 1961 (hereinafter referred to as “the Act of 1961”) became instituted before the learned Collector concerned,

by the Gram Panchayat concerned. The said petition became instituted on 08.07.2011.

b) A decision on the said petition was made on 14.09.2023.

3. The present petitioners in respect of the very same lands, in respect whereof became filed a petition under Section 7 of the Act of 1961, thus instituted on 31.01.2013, before the learned Collector concerned, but subsequent to the institution of the said petition, rather a petition under Section 11 of the Act of 1961. The said suit was dismissed through an order made thereons, on 25.05.2023.

4. That an appeal against the said decision has been filed, at the instance of the aggrieved before the learned Commissioner concerned. A perusal of the zimni orders, as became produced today before this Court, by the learned counsel for the petitioners, discloses, that though the present petitioners also filed an application seeking stay of the operation of the dismissal verdict, as became recorded by the learned Collector concerned, upon the suit (supra), yet no decision becoming made thereons. However, a perusal of the apposite zimni orders, as, made on 07.11.2023, discloses, that the learned Commissioner concerned, had after issuing notice to the parties concerned, proceeded to summon or requisition the records of the Collector concerned, who had non-suited the plaintiffs, who are the petitioners before this Court.

5. The decision, on the eviction petition, was made on 15.11.2023, thus subsequent to the non-suiting of the present petitioners, on 25.05.2023, by the learned Collector concerned. Consequently, the learned Collector concerned, proceeded to execute the decision made on 14.09.2023, on the eviction petition, cast under Section 7 of the Act of

1961, through his drawing the impugned warrants of possession, which are appended with the instant petition as Annexure P-9.

SUBMISSIONS OF THE LEARNED COUNSEL FOR THE PETITIONERS

I. Learned counsel for the petitioners, has vigorously submitted before this Court, that even though as is evident on a reading of the reply on affidavit furnished to the instant petition, by the respondent concerned, that rapat possession, has been assumed over the petition lands, by the Gram Panchayat concerned, thus in pursuance to Annexure P-9. However, he submits that still physical possession of the disputed lands, rather is with the present petitioners.

II. He also makes a submission before this Court, that the warrants of possession, even if they became symbolically executed through, the aegis of the police, as well as through the aegis of the executing officers concerned, yet the said executed warrants of possession, rather are not vindicable, especially in the wake of the learned Commissioner concerned, requisitioning the records from the learned Collector concerned, upon, his being seized with the relevant statutory appeal, besides, his posting the said appeal for 06.12.2023. Therefore, the learned counsel for the petitioners submits, that even if the decision recorded, on the eviction petition, by the learned Collector concerned, became unchallenged, and, may be for want of challenge being thrown thereto, at the instance of the judgment-debtor concerned, the said verdict of eviction was enforceable.

III. However, he further submits that in the wake of identity or commonality of lands in the declaratory suit as well as in the petition

filed under Section 7 of the Act of 1961. Resultantly, thereby until a binding, and, conclusive decision became recorded, on the statutory appeal, directed against the non-suiting of the present petitioners, by the learned Collector concerned, the latter was not required to be enforcing the verdict of eviction passed against the present petitioners, as in the wake of successful execution, being made of the impugned warrants, of possession, thereby in case the present petitioners succeed, in the relevant statutory appeal, thereby, yet obviable multiplicity of litigation, rather may arise from the successful appellants, but becoming led to seek restoration of possession of the acquired lands, from the decree-holder concerned, to whom such possession becomes delivered, in pursuance to the successful execution of the warrants of possession.

IV. Learned counsel for the petitioners, has also made reliance, upon the provisions carried in Rule 21 of the The Punjab Village Common Lands (Regulation) Rules, 1964 (hereinafter referred to as “the Rules of 1964”), provisions whereof become extracted hereinafter.

“21. Eviction. (1) If, after considering the cause, if any shown by any person in pursuance of notice under rule 20, and any evidence that may be produced and after giving the parties a reasonable opportunity of being heard, the Collector is satisfied that the land or other immovable property specified in the notice served under rule 20 or any part thereof is in unauthorized occupation, the Collector may on a date to be fixed for the purpose make an order of eviction for reasons to be recorded therein, directing that the land or other immovable property, or any part thereof, as the case may be, shall be vacated by a persons who may be in unauthorized occupation thereof, and cause a copy of the order to be affixed on the outer door of a Panchayat Ghar at

some other conspicuous place of the estate in which the land or other immovable property is situated.

(2) If any person refuses or fails to comply with the order of eviction within thirty days of the date of its publication, the Collector authorized by him in this behalf may evict that person from and put the Panchayat in possession of the land or other immovable property and may for that purpose, use such force as may be necessary.”

V. He has attempted to draw the pointed attention of this Court, to the provisions embodied in sub-Rules 1 and 2 of Rule 21 of the Rules of 1964, which but make it incumbent, upon, the learned Collector concerned, to if he becomes satisfied, that in pursuance to a decree, of eviction being passed, that the said verdict is required to be enforced, through the unauthorized occupants of the petition property, being directed to be removed therefrom. Resultantly, in term of the said sub-rules (supra), the learned Collector concerned, thus shall also proceed to cause a copy of the order of eviction, being affixed on the outer door of the Panchayat Ghar, and, at some other conspicuous place of the estate, in which the land or other immovable property is situated. Furthermore, sub-Rule 2 of Rule 21 of the Rules of 1964, but makes clear speakings, that in case any person refuses or fails to comply with the order of eviction, thus within thirty days of the date of its publication, thus the Collector concerned, or any other officer duly authorized by him, in this behalf, may evict that person from, and, put the Panchayat in possession of the land or other immovable property and may for that purpose, use such force as may be necessary. From the above extracted rules, the learned counsel for the petitioners submits, that breach of the mandate (supra), rather is made, as none of the provisions engrafted therein, has

been complied with at the instance of the decree-holder concerned, or at the instance of the learned Collector concerned.

SUBMISSIONS OF THE LEARNED STATE COUNSEL

I. On the other hand, the learned State counsel, has vigorously submitted before this Court, that since the verdict of eviction has acquired binding, and, conclusive effect, as no valid challenge became thrown thereto. Resultantly, he further submits that rather the warrants of possessions were validly drawn, and, also were validly executed.

II. He further submits, that since the warrants of possession become successfully executed against the judgment-debtor concerned. Therefore, he submits that the remedy available to the petitioners, thus on theirs' succeeding in the statutory appeal, is to, then recourse the restitutory remedy as carried in Section 144 of the CPC.

III. He also vigorously argued before this Court, that since there is no pleading made in the instant writ petition, relating to breach being caused to the provisions of sub-rule 2 of Rule 21 of the Rules of 1964. Therefore, he submits that for want of pleadings in the instant petition, in respect of the relevant statutory facts, in respect whereof breach, is claimed by the learned counsel for the petitioners. Therefore, he submits, that the above argument made by the learned counsel, for the petitioners relating to breach being caused to the provisions of sub-rules 1 and 2 of Rule 21 of the Rules of 1964 rather is a frivolously raised argument, and/or, is not firmly embedded in the relevant factual strata.

IV He also submits that the said sub-rule has been complied with, as in the order of eviction (Annexure P-8), the relevant portion whereof becomes extracted hereinafter, speakings are made wherefrom

but necessarily an inference would but become naturally mobilized, that thereby, no breach has been done to the mandate of the sub-rule (supra). Consequently, he submits that the argument (supra), as made by the learned counsel for the petitioners founders, and, is liable to be rejected.

“In view of the above, the respondents are found to be in unauthorised possession of the property as mentioned in the headnote of the petition and I hereby order that the respondents shall vacate the above said property within thirty days of the publication/passing of this order. In the event of refusal or failure to comply with this order within the period specified above, the respondents shall be liable to be evicted from the said premises, if need be, by the use of such force as may be necessary”

ANALYSIS OF THE SUBMISSIONS MADE BY THE LEARNED COUNSEL FOR THE PETITIONERS AS WELL AS BY THE LEARNED STATE COUNSEL, AND, THE REASONS FOR PARTLY ACCEPTING THE SUBMISSIONS OF THE LEARNED COUNSEL FOR THE PETITIONERS, AND, FOR PARTLY REJECTING THE SUBMISSIONS OF THE LEARNED STATE COUNSEL

6. This Court has incisively made a profound contemplation(s), upon the arguments (supra), as became respectively addressed before this Court by the learned counsel for the petitioners, and, by the learned State counsel.

7. Since there is no dispute amongst the litigants, before this Court, that the verdict of eviction, has acquired binding and conclusive effect. Therefore, but naturally the said verdict of eviction, is required to be completely enforced through successful execution, being made of the impugned warrants of possession against the judgment-debtor concerned.

8. Moreover, even if the said verdict of eviction, has remained unchallenged, besides when within a petition cast under Section 7 of the

Act of 1961, but during the pendency of the said petition, rather no claim of title thus became raised by the present petitioners, before the learned Collector concerned, who became seized with the said petition, though therebys, the subsequent thereto instituted declaratory suit, by the present petitioners rather may not have been maintainable.

9. Nonetheless, irrespective of the above, even if the present petitioners raised subsequent to the institution of the said petition, by the Gram Panchayat concerned, before the learned Collector concerned, thus a declaratory suit, in terms of the provisions of Section 11 of the Act of 1961. Therefore, unless in the said suit, the present petitioners became non-suited, thus through a binding and conclusive decision being made by the Statutory Appellate Authority or by this Court, thus thereupto, the assertion of title to the disputed lands, by the Panchayat, but cannot be said to be firmly clinched nor thereupto the decree of eviction passed in eviction petition rather was required to be enforced.

10. Conspicuously also, when as stated (supra), the records of the learned Collector concerned, who non-suited the present petitioners have been requisitioned by the learned Appellate Authority concerned, from the establishment of the learned Collector concerned, besides when the date fixed for hearing being made on the statutory appeal, is 06.12.2023. Since the date (supra), but is post the initiation of proceedings, at the instance of the learned Collector concerned, for resultantly therebys, his thus ensuring the makings of completest satisfactory and successful execution of the appositely issued warrants of possession against the estates of the judgment-debtor concerned.

11. The effect of the above, is that, when there is a rife controversy erupting amongst the litigants concerned, relating to the respective endowments of title thus, respectively in the Gram Panchayat concerned, or in the present petitioners, rather over the disputed lands. Therefore, until as stated (*supra*), a final and binding decision, is made on the said declaratory suit, thereupto no valid assertion can be made by the Gram Panchayat concerned, that it has a well conferred title vis-a-vis the suit lands, nor thereupto the decree-holder can seek any able execution being made of the eviction decree or of the declaratory decree.

12. Therefore, reiteratedly until and unless the said disputed question of title becomes completely, and, firmly rested, through a binding and conclusive decision being made thereons, resultantly, naturally thus thereupto, but for avoiding the obviable ill consequence of the present petitioners, thus upon, theirs succeeding in the declaratory suit, theirs being led to the obviable restitutory remedy envisaged in Section 144 of the CPC, that it was but expected, that the learned Collector concerned, may refrain, from successfully enforcing the warrants of possession, as has been not untenably done in the instant case.

13. Though, the learned State counsel has strived to undo, the vigor of the submission (*supra*), as made by the learned counsel, for the petitioners, as relate to the learned Collector concerned, breaching the mandate of sub-rules 1 and 2 of Rule 21 of the Rules of 1964, in the manner, as spoken by the learned counsel for the petitioners, inasmuch as, he has submitted that since no facts relevant for applying thereons, sub-rules 1 and 2 of Rule 21 of the Rules of 1964 rather have been stated

in the petition. Therefore, he has argued that for want of the present petitioners, erecting a firm factual strata, thus for thereons, the principles contemplated in the said rule, rather being applied. Resultantly, he submits, that no breach was made to the said sub-rules, nor can he submit, that there was no efficacious or valid execution of warrants of possession against the judgment-debtor concerned, thus subsequent, to the binding and conclusive verdicts of eviction, becoming passed against them, by the learned Collector concerned, through a decision being made, on the relevant petition, on 15.11.2023.

14. Be that as it may, to the considered mind of this Court, compliance to the mandate of sub-rule 2 of Rule 21 of the Rules of 1964, is required to be made by the learned Collector concerned, but the said made compliance, was required to be also incorporated in the eviction order. Since a perusal of the above extracted portion of the order of eviction (Annexure P-8) reveals, that therein became incorporated the mandate enclosed in sub-rule 2 of Rule 21 of the Rules of 1964. Resultantly, thereby the arguments of the learned counsel for the petitioners, that yet subsequent to the passing of the verdict of eviction, thus compliance thereto, was required to be made, to the mandate of sub-rule 2 of Rule 21 of the Rules of 1964, thus does not prima-facie warrant the same becoming tentatively rejected by this Court. However, yet when no material has been placed on record, that the said operative part of the order of eviction has been thereafter complied with. Therefore, irrespective of compliance being made in Annexure P-8 to the mandate enclosed in sub-rule 2 of Rule 21 of the Rules of 1964, yet for want of the apposite publications rather being made but in pursuance thereof, thus

makes the reference in Annexure P-8, to the mandate (supra), to be merely a paper mentioning therein. In sequel, thereby too, there is no compliance to the mandate of sub-rule 2 of Rule 21 of the Rules of 1964. Resultantly, the said part compliance also did not invest, any able jurisdiction in the learned Collector concerned, to yet not proceed to ensure that post the making of the verdict of eviction, that compliance thereto is also then made.

15. Be that as it may, since a decree of eviction, is alike a decree of possession becoming made by the jurisdictionally competent Civil Court concerned, rather in a suit for possession. Therefore, when the special statute nomenclatured as the Act of 1961, does not oust the workability or the play of the provisions of the CPC, relating to the necessity of the decree of eviction, becoming enforced rather through an execution petition, being filed before the learned Court of First instance or before the learned Executing Court concerned. Therefore, the said provisions, are prima-facie applicable also post the making of a verdict of eviction by the authorities contemplated under the Act of 1961. Resultantly, thereby a dire necessity became encumbered, upon, the decree-holder concerned, to post the rendition of a decree of eviction, by the learned Collector concerned, through the latter exercising jurisdiction under the Act of 1961, but enforce the said decree, through its/his instituting an execution petition before the learned Collector concerned.

16. Though, the exception to the necessity (supra), may become engendered, only when in the said statute (supra), there is some provision contra distinct, or inconsistent to the provisions in the CPC, thus relating to the execution of a decree of possession, being ensured to be

successfully executed, through the decree-holder concerned, filing an execution petition before the learned Executing Court concerned, or before the Court of First instance, thereby the said provisions of the CPC may be prima-facie deemed to become thus ousted.

17. Though, the mandate of sub-rule 2 of Rule 21 of the Rules of 1964, becomes hereinabove concluded to be partly complied with, by the learned Collector concerned, through his only incorporating the mandate thereof, in the operative part of Annexure P-8, whereas, subsequent thereto compliance, as, comprised in apposite publication being made, rather evidently remaining uncomplied with, thus, thereby yet requiring post the making of Annexure P-8, the makings of publications (supra). Nonetheless, though thereby the above exception to the applicability of the provisions of the CPC (supra), may prima-facie be deemed to have been ousted.

18. Nonetheless, but irrespective of the above, to the considered mind of this Court, there would be yet a necessity of an execution petition being filed by the decree-holder concerned, thus post the binding and conclusive decree of eviction, being rendered by the learned Collector concerned, through his exercising jurisdiction under the Act of 1961.

19. The reason for making the above inference, becomes stemmed from the factum, that after notice of filing of execution petition, becoming assigned to the judgment-debtor concerned, the latter is reserved with a liberty to file permissible objections, to the executability of the binding and conclusive decree of eviction, as passed in a suit for possession, thus by the jurisdictionally competent Civil Court concerned.

The above is to ensure that, despite want of jurisdiction in the Civil Court concerned, yet a decree of possession being passed or to ensure that the judgment-debtor concerned, may raise but after receiving notice of filing of execution petition, thus objections relating to theirs instituting, some other civil proceedings, before the jurisdictionally competent Court concerned, whereby the claim by the decree-holder for title to the suit land, rather is strived to be negated.

20. In consequence, thereupons the lerned Executing Courts concerned, after receiving objections to the maintainability of the execution petition, may proceed to defer the makings of successful execution of the decree of possession, thus uptill the judgment-debtors file objections, relating to executability of decree of possession, thus founded, upon their claiming, that theirs yet asserting title to the suit lands, thus in some other subjudice proceedings before a Court of law.

21. The effect of the above, is that, thereby but a defeated or unsuccessful judgment-debtor, is thereby assigned an opportunity, to contest the execution petition, as laid by the decree-holder concerned, after the latter receiving a decree of possession rather, upon, a suit for possession. Necessarily, therebys, the holistic purpose, inasmuch as, thereby the principles of natural justice become revered, does naturally becomes accomplished.

22. On the contrary, through a statutory fiat, incorporated in sub-rule 2 of Rule 21 of the Rules of 1964, the learned Collector concerned, though is required to incorporate in the eviction order, thus the mandate thereof, but yet the said contemplation in the sub-rule, if became partly complied, with in Annexure P-8. Nonetheless, part compliance thereto, to

the considered mind of this Court, is apart therefrom also, not an adequate assigning of the fullest opportunity to the judgment-debtor concerned, to make any permissible objections, to the executability of the verdict of eviction, which otherwise he would be permitted to raise, on his receiving a notice, on an eviction petition becoming preferred but post the verdict of eviction being passed by the learned Collector concerned, exercising jurisdiction under the Act of 1961.

23. The statutory fiat as enclosed in sub-rule 2 of Rule 21 of the Rules of 1964, thus is required to be read down or is required to be declared to thus cause breach to the principles of natural justice. Most conspicuously therebys, in the instant case, also where otherwise on an eviction petition, becoming filed by the decree-holder concerned, thus notice on the said execution petition, but was to be imperatively served, upon the judgment-debtor concerned. Since resultantly, therebys the judgment-debtor concerned, could well plead, that they have asserted title to the petition lands, in a declaratory suit, becoming instituted, before the learned Collector concerned, besides thereafter a subjudice appeal becoming raised thereagainst before the learned Appellate Authority concerned.

24. In sequel, till the said assertion becomes clinchingly rested through a binding and conclusive verdict becoming drawn thereon, thus thereupto, as stated (supra), the decree of eviction may not have been executed, as but on its successful execution, as stated (supra), there would spur the obviably ill consequence (supra).

25. Even though, reiteratedly the learned Collector concerned, has in Annexure P-8, rather incorporated the mandate of sub-rule 2 of

Rule 21 of the Rules of 1964, and, thereby though he has meted part compliance theretos, but yet for all the reasons (supra), there was yet a necessity cast, upon the learned Collector concerned, to ensure that the decree-holder concerned, institutes before him, an execution petition, so that on notice thereof, being issued to the judgment-debtor concerned, the latter become assigned, an adequate opportunity, to raise objections thereto, thus on the ground, that their statutory appeal as directed against theirs being non-suited by the learned Collector concerned, rather is subjudice, and, till the assertion of title by them over the suit lands, thus becomes clinchingly rested, thereupto the warrant of possession need not be enforced.

26. It is in the wake of the above situation, that the said sub-rule (supra), has to be read wherebys its mandate but is required to become extended, thus post the making of Annexure P-8, inasmuch as, its mandate even extending qua the decree-holder concerned, becoming yet enjoined to institute, an execution petition, seeking thereby the successful execution of the decree of eviction, so that, upon notice thereof, being issued to the judgment-debtor concerned, they are given an able opportunity to resist on grounds (supra), the executability of the said decree of eviction. Since the above manner of reading of the said rule has not been stated to be complied. Therefore, the issuance of the warrants of possession, thus without compliance being made to the mandate of said rule, is to be termed to be flawed or vitiated.

27. Importantly, also when the warrants of possession, makes speakings, that the said warrants of possession have been issued, as no stay has been made against the operation of the verdict of dismissal as,

made, on the declaratory suit filed by the petitioners. The said speaking but is a candid admission, on the part of the learned Executing Court concerned, that it accepts, that no fullest compliance in the manner (supra), became made to the above extracted part of Annexure P-8, wherein becomes incorporated the mandate of sub-rule (supra), besides also makes candid acquiesced speakings, that the mandate of the said sub-rule (supra), thus extending even post the making of a decree of eviction.

28. However, yet even the said made speaking therein, is but pretextual, as a reading of the zimni orders, though discloses, that no stay became granted against the operation of the verdict of dismissal, as made on the declaratory suit, by the learned Collector concerned, but yet when the Appellate Authority, did evidently requisition, the relevant records, from the learned Collector concerned. Therefore, the effect thereof, is that, thereby the learned Collector concerned, became restrained from enforcing or executing the decree of eviction, thus on the ground, that the records in respect thereof, became requisitioned from the learned Collector concerned. Predominantly, also when therebys, the learned Executing Court became functus officio or in other words, the requisitioning by the learned Appellate Authority concerned, of the relevant records, from the learned Collector concerned, thus per-se tantamounting to, irrespective of no order being made on the application, seeking stay of the operation of the decision, whereby he non-suited the present petitioners, that yet therebys there being a well made restraint, upon the learned Collector concerned, to proceed to execute the decree of eviction.

29. The fortified reason for making the above conclusion, spurs from the factum that, the prima dona controversy relating to the respective entitlements to the disputed lands, is yet subjudice, and, as stated (supra), until a binding, and, conclusive decision is made thereons, thereupto as stated (supra), there was an imperative requirement qua exercisings of restraints, by the learned Collector concerned, against the enforcings of the verdict of eviction. However, yet the learned Collector concerned, on the above flimsy pretext yet proceeded to, enforce the verdicts of eviction, as became recorded, on a petition filed by the Gram Panchayat concerned, but naturally in a hurried and slipshod manner. Significantly, thereby he remained unmindful of the apposite ill consequence, as may accrue, on the present petitioners, rather succeeding in the declaratory suit, whereby, but obviously, they would be led to embark upon the otherwise obviable multiplicity of restitutory proceedings.

30. Lastly, the learned State counsel has argued, that the challenge made to the impugned warrants of possession, is a frail challenge, and/or, has become rendered infructuous, inasmuch as, the warrants of possession became successfully executed on 01.12.2023. He has rested the further submission, on his appending along with the status report instituted before this Court, a report made by the learned Executing Officer concerned, which speaks, that through a rapat, thus possession has been delivered to the decree-holder concerned, and, with a further revelation therein, that a board regarding possession ownership being installed outside the disputed premises. The said Annexure R-1/T appended to the status report, is but to the considered mind of this Court,

personificatory qua thereby only symbolic possession becoming delivered to the decree-holder concerned,. The said delivery of symbolic possession, is but completely insignificant nor is co-equal to delivery of physical possession to the decree holder concerned.

31. The reason for making the above conclusion stems, from the factum that there is no further evidence apart from, but symbolic possession becoming assumed over the disputed lands, by the decree-holder concerned, that the decree-holder concerned, has proceeded to make cultivations over the disputed lands, or has proceeded to harvest the crops, as sown thereons, by the petitioners.

32. For all the above reasons, this Court finds merit in the instant petition, and, proceeds to, after allowing the instant petition, to order that the parties shall maintain status quo as of today in respect of the disputed lands.

33. Furthermore, a mandamus is made, upon the learned Commissioner concerned, seized with appeal bearing No.PUN/JDC/TT/2023/000879, to within a period of 2 months from today, make a lawful decision, upon the said statutory appeal, but after hearing all the affected persons concerned. It is further clarified that the decision on the said statutory appeal, thus to be made within 2 months from today, shall govern the relevant controversy, as relates to whether physical possession also, of the disputed lands is to be delivered, by the learned Executing Court concerned, to the decree-holder concerned, or whether the status quo as of today, as ordered by this Court, is to be further maintained with respect to the disputed lands. It is further clarified that accordingly mesne

profits, if any, and, if required, may be also, but in accordance with law
be thus adjudged by the learned Appellate Authority concerned.

(SURESHWAR THAKUR)
JUDGE

21.12.2023

(SUDEEPTI SHARMA)
JUDGE

Ithlesh

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