

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-4174-2024
Date of Decision: 05.03.2024

Gurkarandeep KaurPetitioner
Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Harkirat Singh Sandhu, Advocate for
Mr. J.S.Bhandohal, Advocate
for the petitioner.

Mr. Maninder Singh, Sr. Deputy Advocate General, Punjab.

Sureshwar Thakur, J. (Oral)

1. The learned Senior Deputy Advocate General, Punjab on instructions of Shri Amrinder Singh, BDPO, Machiwada Sahib submits, that Annexure P-2 has acquired the binding and conclusive effect and also submits that though, the warrants of possession became executed against the private respondents, yet they have made a re-entry into the lands owned by the Gram Panchayat concerned.
2. Though he submits that an FIR has been lodged against the said encroachers upon the Panchayat land, but the lodging of an FIR, is not sufficient, as therebys, the Panchayat land remains encumbered with encroachments as became made thereon, by the encroachers concerned. Consequently, the decree holder – Gram Panchayat concerned, is directed to re-institute a fresh execution petition against the re-encroachers upon the

Gram Panchayat lands. On the said execution petition being filed before the Collector concerned, the Collector concerned, shall within a period of one month from its receiving a fresh execution petition, shall ensure that warrants of possession are issued and can also ensure that the said issued warrants of possession are completely executed against the re-encroachers upon the Panchayat land.

3. Disposed of along with pending applications, if any.

(SURESHWAR THAKUR)
JUDGE

05.03.2024
Varinder Prashad

(LALIT BATRA)
JUDGE

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