



(111+215)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-8850-2022 (O&M)

Date of decision:- 18.12.2024

Kulwant Singh and another

...Petitioner(s)

Versus

The State of Punjab and others

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:-

None for the petitioners.  
Mr. Salil Sabhlok, Senior Deputy Advocate General, Punjab.  
Ms. Aneesha Sharma, Advocate,  
for Mr. Sarthak Gupta, Advocate,  
for respondent No. 7.  
Mr. Vikas Singh, Advocate,  
Ms. Himani, Advocate,  
for respondent No. 10.  
Mr. Charanpal Singh Bagri, Advocate,  
Ms. Gurjit Kaur Jassad, Advocate,  
Mr. Gurwinder Singh Lakhyan, Advocate,  
Mr. Bhavneet Singh, Advocate,  
for respondents No. 11 to 48.  
Mr. Sumeet Pal Singh Khaira, Advocate,  
for the applicant in CMs-20458-2024, 20459-2024 and  
20460-2024.  
Mr. Bikramjit Singh Baath, Advocate,  
Mr. Ritesh K. Sharma, Advocate,  
for the applicants in CM-20370-CWP-2024.

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**SHEEL NAGU, C.J. (ORAL)**

1. CM-20370-CWP-2024 has been filed for impleading three applicants, namely, Gurmeet Singh, Nirmal Singh and Jaswant Singh as party respondents in the present petition.

2. Learned counsel appearing for the aforesaid three applicants/proposed respondents contends that since Gurmeet Singh and Nirmal Singh have already approached this Court, the present application is

not pressed so far as both of them are concerned and is, therefore, dismissed to that extent.

3. However, the present application is continued to be prosecuted in respect of the third applicant, namely, Jaswant Singh.

4. Learned counsel for the third applicant – Jaswant Singh submits that the said applicant has already filed a civil suit against the apprehended action of eviction caused by the official respondents.

5. The third applicant – Jaswant Singh is, therefore, free to pursue his remedy in Civil Court which has already been permitted by this Court to the other alleged encroachers by an order dated 13.12.2024

6. This Court on 03.12.2024 with an intent to put an end to the matter had directed that the encroachments over the ponds' area, as shown by the State of Punjab in its return/reply dated 27.09.2024, ought to be removed within 15 days.

7. Thereafter, several alleged encroachers came to this Court and were allowed to be impleaded as respondents No. 11 to 48.

8. This Court on 13.12.2024, while protecting the newly added respondents No. 11 to 48, had afforded them opportunity to seek remedy before the Civil Court since the question of possession and title was raised.

9. None of the newly added respondents No. 11 to 48 or any other encroacher, as informed, has approached the Civil Court except the aforesaid two applicants, namely, Gurmeet Singh and Nirmal Singh in CM-20370-CWP-2024.

10. The State of Punjab has filed status report dated 17.12.2024 stating that 64 notices were issued to the alleged encroachers asking them to evict the land falling under the ponds by 12.12.2024, whereafter 23

encroachments have been removed. But the official respondents stayed their hands with regard to the remaining encroachers in view of the restraint order passed by this Court on 13.12.2024.

11. This Court with a view to putting quietus to this matter disposes of the petition with a direction that in case any of the remaining encroachers do not obtain and produce interim/restraint order of any quasi-judicial or judicial authority within a period of 03 weeks, then the official respondents are directed to evict the remaining encroachers from the land in question and report compliance latest by 21.01.2025.

12. In view of the aforesaid order, all the miscellaneous applications also stand disposed of.

(SHEEL NAGU)  
CHIEF JUSTICE

(ANIL KSHETARPAL)  
JUDGE

18.12.2024  
Amodh Sharma

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