

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134

CWP-10949-2024 (O & M)
Date of Decision: 13.05.2024

Gulzara Ram

....Petitioner

Versus

State of Punjab and others

....Respondents

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

Present: Mr. Parveen Chauhan, 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 imparted to him submits, that against the encroachers upon the land owned by the Municipal Council, Balachaur, and whose names are revealed in Annexure P/1, thus a petition cast under Sections 5 and 7 of The Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973, (hereinafter in short to be referred as 'the Act of 1973'), has been instituted before the Collector concerned.

2. In the wake of the above, the learned counsel for the petitioner seeks, and, is permitted to withdraw the instant writ petition.

3. Nonetheless, the Collector concerned, is directed to within four months from today, make a lawful decision upon the relevant eviction petition as become instituted before him, but after hearing all the affected persons

concerned.

4. In case, the authorised officer of the Municipal Council concerned, has not instituted eviction petitions before the Collector concerned, against other encroachers than, whose names exist in Annexure P/11, thereupon, the said Executive Officer of the Municipal Council concerned, is directed to within fortnight from today, institute eviction petitions against the said encroachers upon the land owned by the Municipal Council, Balachaur. On the said eviction petitions becoming filed before the Collector, thus exercising jurisdiction under the Act of 1973, thereupon, the said eviction petitions shall be lawfully decided after hearing all the affected persons concerned, but within four months from their respective preferment.

5. Dismissed as withdrawn, along with all pending applications, if any.

(SURESHWAR THAKUR)
JUDGE

13.05.2024

Varinder Prashad

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No