



(122) In the High Court of Punjab and Haryana at Chandigarh

CWP-10500-2024
Date of Decision: 09.05.2024

SANTOKH SINGH & OTHERS PETITIONERS

VERSUS

JOINT DEVELOPMENT COMMISSIONER (IRDP)
AND OTHERSRESPONDENTS

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Ramesh Sharma, Advocate for the petitioners.

Mr. Maninder Singh, Sr. DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Learned Senior Deputy Advocate, General, Punjab does not oppose the making of a mandamus upon the *Sarpanch* of the Gram Panchayat concerned, or upon the BDPO concerned, to forthwith institute an eviction petition against the encroachers over the lands owned by the Gram Panchayat concerned, which become detailed in the head-note of the instant petition.
2. In the face of the above, learned counsel for the petitioner seeks and is permitted to withdraw the instant petition. However, a mandamus is made upon 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.
3. On such a petition being filed, it shall be lawfully decided through a speaking decision made thereons, but the said decision shall be made only after hearing all affected persons concerned, and, shall be positively made

4. 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.

(SURESHWAR THAKUR)
JUDGE

(SUKHVINDER KAUR)
JUDGE

May 09, 2024
Anjal

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