

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

2024:PHHC:134710-DB



(112)

CWP-20024-2024

Date of Decision: 15.10.2024

Sucha Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

**CORAM:- HON'BLE MR. JUSTICE G.S. SANDHAWALIA.
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA.**

Present:- Mr. Vikas Singh, Advocate with
Ms. Anamika Sheoran, Advocate for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab.

G.S. SANDHAWALIA.J (Oral)

1. Challenge in the present writ petition is to the order dated 30.06.2023 (Annexure P-5), passed by respondent no.3, whereby petitioner was directed to hand over the land of which he was in illegal possession to the Gram Panchayat.

2. As per the said communication, the Govt. was taking action against similar illegal occupiers and therefore they were voluntarily leaving the possession and petitioner has also been put to such notice. The said notice talks about an order dated 18.01.2011 (Annexure P-2). Perusal of the same would reveal that the petitioner's ejectment was ordered over the land measuring 10 kanal 18 marlas and even a sum of Rs.3 lacs was also ordered as damages on account of petitioner's unauthorized and illegal possession of the land. The petitioner's appeal bearing no.55 of 2011 under Section 7 of the Punjab Village Common (Regulation) Act, 1961 was dismissed along with other land owners on 15.07.2011 (Annexure P-3). Apparently, an

other land owner namely Darshan Singh filed writ petition, which was allowed by a Coordinate Bench of this Court and the impugned order was set aside but the petitioner chose not to approach this Court and therefore now cannot be aggrieved against the execution aspect by the State authorities.

3. The order has been final inter se the parties, at this belated stage after about 13 years from the dismissal of the appeal, the petitioner now cannot expect us to examine the validity of the eviction order merely because one set of litigants had approached this Court and got the relief. Thus we cannot entitle the petitioner now to challenge the issuance of the said notice by the State authorities which is only wanting to get the illegal encroachments removed, which is for the joint benefit of Panchayat land.

4. Resultantly, we do not find any merit in the present petition and the same is, accordingly, dismissed.

(G.S. SANDHAWALIA)
JUDGE

15.10.2024
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No