



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 7665 of 2025 (O&M)

Date of Decision: 19.03.2025

Bhani

.....Petitioner

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL, JUDGE**

Present : Mr. Prateek Pandit, Advocate, for the petitioner.
Mr. Sartaj Singh Gill, Sr. Deputy Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

Notice of motion.

2. Mr. Sartaj Singh Gill, Senior Deputy Advocate General, Punjab, on advance copy, accepts notice on behalf of the respondents.

3. The petitioner is before this Court assailing notices dated 07.03.2025 (Annexures P-1 and P-2), by which the Block Development and Panchayat Officer directed the petitioner to vacate her possession, which is alleged to be unlawful, over the alleged panchayat land within a period of 15 days.

4. After having heard learned counsel for the rival parties, this Court is of the considered view that after amendment carried out in Section 11 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short 'the Act of 1961') by the Act of 25 of 1993, any person, who may be aggrieved to the extent of challenge made to his/her title over the land, which is claimed by the panchayat, can very well approach the Collector by filing an appropriate application. An enquiry would thereafter be held and Collector would pass appropriate order which thereafter is appealable before the Commissioner.



Thus, since 1993 any person, who claims title over the panchayat land, can very well approach the Collector under Section 11 of the Act of 1961.

5. In view of the above, this Court considering the fact that the dispute essentially relates to the question of title and possession over the panchayat land involving disputed questions of fact, declines to enter into merits of the matter and relegates the petitioner to approach the Collector under Section 11 of the Act of 1961, which if done within a period of 15 days from today, the Collector shall entertain the application and pass appropriate orders on the same as expeditiously as possible, without dismissing the application solely on the ground of limitation.

6. For a period of 15 days, no coercive steps shall be taken against the petitioner.

7. However, it is made clear that if no application before the Collector is filed within a period of 15 days from today, including holidays, by the petitioner, the concerned authorities are free to proceed on the basis of notices dated 07.03.2025 (Annexures P-1 and P-2).

8. With these observations, the petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

19.03.2025

ravinder

RAVINDER KUMAR
2025.03.20 17:33
I attest to the accuracy and
integrity of this document

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√