



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

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CWP-32993-2025

Date of Decision: 06.11.2025

RAJINDER SINGH AND OTHERS

.....PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present:- Mr. Kulwant Singh Boparai, Advocate for the petitioners.

Mr. Himanshu Raj, Addl. A.G., Punjab.

DEEPAK SIBAL, J. (Oral)

1. On oral request of learned counsel for the petitioners, Joint Development Commissioner, Punjab exercising the powers of the Commissioner under the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973 (for short-the Commissioner) is directed to be impleaded as respondent No.6 in the main petition.
2. The Registry to make necessary changes in the memo of parties.
3. Through order dated 30.06.2023 passed by the Collector Panchayat Lands-cum-District Development and Panchayat Officer, Ludhiana (for short-Collector) in the petition filed by Gram Panchayat Butahri, Teshil and Distirct Ludhiana, the petitioners were ordered to be evicted from the land in dispute.
4. Since such order was passed *ex parte*, the petitioners claim that as soon as they came to know of its existence, in May 2025, they have challenged the same, through filing of a statutory appeal, along with an



application for stay, before the Commissioner. In such appeal, notice was issued to the Gram Panchayat for 03.07.2025 after which the matter had been adjourned to 16.07.2025, 17.09.2025 and then 21.01.2026 as the Appellate Authority did not hold Court. In the meanwhile, through the impugned order dated 30.10.2025 (Annexure P-7), the land in question has been ordered to put to auction with a further direction to the concerned SHO to ensure the petitioners' eviction.

5. Learned counsel for the petitioners at this stage, submits that the petitioners would be satisfied if the present petition is disposed of with a direction to the newly added respondent No.6 to consider and decide the petitioners' appeal or at least their prayer for stay and in the meanwhile, the petitioners' possession over the land in question be protected.

6. At the outset, learned State counsel submits that the petitioners' appeal filed by them to challenge therein the order of the Collector dated 30.06.2023 or at least their prayer for stay filed along with such appeal shall be taken up and decided by the newly added respondent No.6 on the next date fixed before him, in accordance with law.

7. After considering the afore facts and submissions made before us, we dispose of this petition with a direction to respondent No.6 to take up and decide, within two months from the date of receipt of a copy of this order, the petitioners' appeal filed by them to challenge therein the order of the Collector dated 30.06.2023 but only after granting adequate opportunity of hearing to all affected parties, in accordance with law.



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8. Only for the reason that prior to a decision on the petitioners’ statutory appeal, the same may not be rendered infructuous, it is directed that till the afore decision by respondent No.6 on the petitioners’ appeal, the petitioners shall not be dispossessed from the land in question.
9. It is clarified that respondent No.6 shall decide the matter without being influenced by the stay granted by us.
10. Disposed of.

[DEEPAK SIBAL]
JUDGE

[LAPITA BANERJI]
JUDGE

06.11.2025
Prince

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