

**219****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CWP-17644-1998 (O&M)****Date of Decision : 23.03.2026**

Ajmer Singh and Others

... Petitioners

Versus

Joint Development Commissioner (IRD), Punjab & Ors.

... Respondents

219-1**CWP-3586-1999 (O&M)**

Gram Panchayat, Dhagroli

... Petitioner

Versus

Joint Development Commissioner (IRD), Punjab & Ors.

... Respondents

219-2**CWP-3586-1999 (O&M)**

Gram Panchayat, Dhagroli

... Petitioner

Versus

Joint Development Commissioner (IRD), Punjab & Ors.

... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present :

Mr. Amit Jain, Senior Advocate with

Mr. Chetan Slathia, Advocate

for petitioner Nos.1 to 3 in CWP-17644-1998,

for respondent Nos.2 and 3 in CWP-3586-1999 and

for respondent Nos.2 to 4 in CWP-3587-1999.

Mr. J.S. Bhandohal, Advocate and

Ms. Manveer Kaur, Advocate

for the petitioners in CWP-3586-1999 and CWP-3587-1999

and for respondent No.3 in CWP-17644-1998.

Ms. Mandeep Kaur, DAG Punjab.

ALKA SARIN, J. (Oral)

1. Present order shall dispose off all the above-captioned petitions being CWP-17644-1998 titled 'Ajmer Singh vs. Joint Development Commissioner (IRD), Punjab & Ors.'; CWP-3586-1999 titled 'Gram Panchayat, Village Dhagroli vs. Joint Development Commissioner (IRD), Punjab & Ors.'; and CWP-3587-1999 titled 'Gram Panchayat, Village Dhagroli vs. Joint Development Commissioner (IRD), Punjab & Ors.'.

2. Learned senior counsel appearing on behalf of petitioner Nos.1 to 3 in CWP-17644-1998 has contended that the Collector while passing the order dated 24.05.1996 (Annexure P-4/T) in CWP-17644-1998 has dismissed the suit in a summary manner by holding the same to be barred by the principles of *res judicata*. Learned senior counsel has relied upon the judgments of the Division Bench of this Court in the cases of **Joginder Singh & Anr. vs. Director, Rural Development and Panchayat Deptt. Punjab & Ors. [2017 (1) RCR (Civil) 282]**; **Arjan Singh vs. State of Punjab & Ors. [2013(31) RCR (Civil) 880]** and **Jagdish Ram & Ors. vs. Joint Development Commissioner (IRD) & Ors. [2018(4) Law Herald 3221]** to contend that a petition under Section 11 of the Punjab Village Common Lands (Regulations) Act, 1961 raises a question of title and therefore the Collector was obliged to follow the well-established procedure for deciding a title dispute by framing issues, making reference to evidence led by the parties and to draw conclusions by appreciating the evidence on the record.

3. Learned counsel appearing on behalf of the petitioner-Gram Panchayat in CWP-3586-1999 and CWP-3587-1999 has also contended that the matter has been decided by the Collector in a summary manner without

framing of any issue.

4. We have heard learned counsel for the parties.

5. This Court in case of **Joginder Singh** (supra) has held as under:

“9. One cannot be oblivious of the fact that jurisdiction of the Civil Court is expressly barred and title disputes between proprietors and the Gram Panchayat in respect of the land which claims to have vested in shamlat deh, are required to be adjudicated by the Collector under Section 11 of the 1961 Act. The Collector is thus obligated to follow the well established procedure for deciding a title dispute, namely, the formation of issues, a brief reference to the evidence led by the parties and to draw contention(s) by appreciating the evidence on record. No such exercise has been undertaken vide the impugned order.

10. In the light of the above discussion, we are of the considered view that the matter requires re-adjudication by the Collector who in turn is directed to frame the issues and thereafter return the findings. No further opportunity will be granted to the parties to lead further evidence and the Collector shall decide all the issues on the basis of the material already on record. Let the dispute be resolved within a period of two months from the date of receiving a certified copy of this order. In the event of any appeal by the parties, the Appellate Authority shall decide the same within four months.”

6. Similar view has been taken by this Court in the cases of **Arjan Singh** (supra) and **Jagdish Ram** (supra).

7. In view of the above and the law laid down by this Court in the cases of **Joginder Singh** (supra), **Arjan Singh** (supra) and **Jagdish Ram** (supra), we deem it appropriate to remand the matter back to the Collector concerned for decision afresh after framing issues and affording the parties to lead their evidence in accordance with law.

8. The parties shall appear before the Collector concerned on **06.04.2026 at 10.00 am.**

9. Since the matter pertains to the year 1996, the Collector shall decide the same within a period of six months from today, in accordance with law.

10. The writ petitions stand disposed off in the above terms. Pending applications, if any, also stand disposed off.

**(ALKA SARIN)
JUDGE**

23.03.2026
jk

**(RAMESH CHANDER DIMRI)
JUDGE**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO