



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

(137)

CR-2913-2026 (O&M)
Date of Decision: **06.04.2026**

GRAM PANCHAYAT

... Petitioner

Versus

JEET SINGH

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Ripudaman Singh Sidhu, Advocate
for the petitioner (**through video conferencing**).

VIRINDER AGGARWAL, J. (Oral)

1. The petitioner has preferred the instant Civil Revision under Article 227 of the Constitution of India, invoking the supervisory jurisdiction of this Court to assail the order dated 04.02.2026 (Annexure P-5) passed by the learned Civil Judge (Junior Division), Bathinda. By way of the impugned order, the learned trial Court dismissed the petitioner's application filed under Order VII Rule 11 of the Code of Civil Procedure ('CPC' for short) for rejection of the plaint.

2. The underlying litigation pertains to a suit for permanent injunction instituted by the respondent-plaintiff against the petitioner-Gram Panchayat. The plaintiff seeks to restrain the Gram Panchayat from interfering with his peaceful possession of the suit property, asserting that the land was originally allotted to his father by the Gram Panchayat in 1981 for a consideration of ₹1,200/-. It is contended that since the delivery



of possession, the plaintiff and his predecessor-in-interest have remained in exclusive and continuous occupation, having constructed a residential house, two shops, and a workshop equipped with an electricity connection. The plaintiff alleges that the present Sarpanch, fueled by political animosity, is attempting to forcibly dispossess him under the guise of the property being communal land.

3. Conversely, the petitioner-defendant sought the rejection of the plaint, contending that the alleged allotment receipt is a forged and fabricated document and that the suit property constitutes *Shamlat Deh* (Gair Mumkin waterworks and school) as per the revenue entries in the *Jamabandi*. The petitioner further asserted that the Gram Panchayat is statutory barred from alienating immovable property without State Government approval under Section 85 of the Punjab Panchayati Raj Act, and that the suit suffers from procedural infirmities, including the failure to file the plaint in duplicate and the undervaluation of the property.

4. Learned counsel for the petitioner vehemently contended that the impugned order is legally infirm, asserting that the trial Court failed to exercise its jurisdiction. It was specifically argued that the suit property falls within the definition of *Shamlat Deh*, thereby attracting the statutory bar on Civil Court jurisdiction as contemplated under Section 13 of the Punjab Village Common Lands (Regulation) Act, 1961.

5. I have considered the submissions advanced by the learned counsel for the petitioner and have meticulously perused the paper-book.

6. The learned trial Court has rightly observed that for the adjudication of an application under Order VII Rule 11 of the Code of



Civil Procedure, the Court is strictly confined to the four corners of the averments made in the plaint. It is a settled canon of law that the defense of the defendant or any disputed questions of fact cannot be looked into at this preliminary stage. The trial Court correctly noted that the plaint was filed in duplicate and that the substantive questions regarding the validity of the allotment and the true ownership of the Gram Panchayat are matters of trial that necessitate a full-scale adjudication. As the plaint *prima facie* discloses a cause of action and does not appear to be barred by any law on its face, the application was rightly dismissed. Finding no jurisdictional error or patent illegality, the revision petition stands **dismissed**.

7. It is, however, clarified that the observations recorded hereinabove are confined solely to the adjudication of the present revision and shall not be construed as an expression of opinion on the merits of the underlying dispute. Nothing stated herein shall prejudice the rights, claims, or contentions of either party during the substantive trial or in any other proceeding.

8. In view of the fact that the principal matter stands finally adjudicated, all pending miscellaneous applications, if any, stand disposed of accordingly. No further orders are required in this regard.

06.04.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No