



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

(Sr. No. 113)

**CWP No.33126 of 2024
Date of decision: 14.01.2026**

Fakir 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. Dharambir Bhargav, Advocate and
Mr. Kulwinder Bhargav, Advocate for the petitioners.
Ms. Mandeep Kaur, DAG, Punjab.
Mr. Gurnoor Singh Sethi, Advocate for respondent No.6.

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DEEPAK SIBAL, J. (Oral)

1. The petitioners, who belong to the Scheduled Caste category, have knocked the doors of this Court for issuance of a direction to the respondent - Gram Panchayat to conduct auction of 1/3rd of its total land for Scheduled Caste category persons as required under the Punjab Village Common Lands (Regulation) Act, 1961 (for short – 1961 Act). As per the petitioners such land is not being put to auction by the respondent - Gram Panchayat for being allotted to members of the Scheduled Caste category as it is in the illegal possession of persons belonging to the General Caste category against whom no action for their eviction is being taken by the Gram Panchayat.
2. After hearing learned counsel for the parties and perusing the record, we find that in the year 2021, the respondent Gram Panchayat had filed a petition under Section 11 of the 1961 Act seeking therein to be declared



owner of its land which, according to the Gram Panchayat, was being illegally occupied by the respondents therein. Through order dated 11.04.2025, such petition of the Gram Panchayat was allowed by the Divisional Deputy Director, Rural Development and Panchayat, Patiala. After having been declared owner of its land, on 16.07.2025, the Gram Panchayat has filed six separate petitions under Section 7 of the 1961 Act seeking therein eviction of the respondents therein who, according to the Gram Panchayat, were in illegal possession of its land. In the meanwhile, the respondents in the aforesaid proceedings preferred by the Gram Panchayat under Section 11 of the 1961 Act, have also filed appeals to challenge therein the order of the Divisional Deputy Director, Rural Development and Panchayat, Patiala dated 11.04.2025, in which notices have been issued but no interim stay has been granted.

3. In the light of the above factual position, we deem it appropriate to dispose of this petition with a direction to the Collector (DDPO), Patiala to finally dispose of the six petitions filed by the Gram Panchayat under Section 7 of the 1961 Act within 04 months from the date of receipt of a copy of this order but only after affording opportunity of hearing to all the affected parties and in accordance with law. However, this would be subject to any interim stay that may be granted in the appeals preferred in the Section 11 proceedings.

4. Within one month of its vacation, the land of the Panchayat shall be put to auction which shall be in terms of the provisions contained in the 1961 Act and the Rules made thereunder.

(DEEPAK SIBAL)
JUDGE

14.01.2026

sunil yadav

(LAPITA BANERJI)
JUDGE

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