

(2007) 04 P&H CK 0031

High Court Of Punjab And Haryana At Chandigarh

Case No: None

Gram Panchayat

APPELLANT

Vs

Commissioner, Ambala Division
and Others

RESPONDENT

Date of Decision: April 20, 2007

Acts Referred:

- Punjab Village Common Lands (Regulation) Act, 1961 - Section 7

Citation: (2007) 4 PLR 623 : (2007) 4 RCR(Civil) 59

Hon'ble Judges: Nirmal Yadav, J; Jasbir Singh, J

Bench: Division Bench

Judgement

Jasbir Singh, J.

By filing this writ petition, a prayer has been made to quash order Annexure P/5 dated 14.6.2004 and order Annexure P/6 dated 10.10.2006.

2. It is apparent from the records that respondent No. 6 filed an application u/s 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana)(in short, the Act), against respondent Nos. 3 to 5, for their ejection, by alleging that they were in unauthorized occupation of Gram Panchayat's land. The petitioner - Gram Panchayat was also arrayed as one of the respondents. By taking note of the entries made in the revenue record, the Collector, vide order Annexure P/5 ordered that it is not possible to eject the respondents, referred to above, as in the revenue record, land is shown as their ownership. The Collector also noted argument of the Gram Panchayat that, actually the Gram Panchayat was the owner, the entries in revenue record were wrong and changed without any justification, the Collector ordered that let the question of title be decided first and matter, regarding ejection be taken up thereafter. The Commissioner, vide order Annexure P/6, upheld the order Annexure P/5 and directed that question of title be decided u/s 13-A of the Act and for the said purpose, the parties were directed to appear before the Collector concerned. Counsel states that the proceedings are pending before

the Collector. No case is made out for interference on merits. However, keeping in view facts of this case, the Collector is directed to dispose of the pending litigation in an expeditious manner, preferably within six months from the date of receipt of a certified copy of the order.

Disposed of.