

(2012) 08 P&H CK 0311

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 19472 of 2011

Mohinder Kaur

APPELLANT

Vs

State of Punjab and others

RESPONDENT

Date of Decision: Aug. 17, 2012

Hon'ble Judges: Jasbir Singh, Acting C.J.; Rakesh Kumar Jain, J

Bench: Division Bench

Advocate: B.P.S. Virk, for the Appellant; J.S. Puri, Additional Advocate General, Punjab, for respondent Nos. 1 to 4, Mr. Ranjit S. Dhiman, Advocate, for respondent Nos. 5 and 14, Mr. Rakesh Chopra, Advocate, for respondent No. 6, Mr. Pritam Saini, Advocate, for respondent Nos. 7 to 10 and Mr. Suresh Singla, Advocate, for respondent Nos. 11 to 13, for the Respondent

Judgement

Jasbir Singh, ACJ

1. By filing this petition, the petitioner has prayed that proceedings be initiated against respondent Nos.6 to 10 for ejecting them from Gram Panchayat land falling in Khasra Nos.57, 52, 63 and 75 which is meant for Kabristan of village Burar. It is stated that the above respondents, in connivance with members of the Panchayat, are in unauthorised occupation of the public land.
2. In response to notice issued, reply was filed wherein it is stated that demarcation was got done by Assistant Collector on 9.2.2012 and ejectment applications have been filed against those who have been found in unauthorised occupation of the Panchayat land before the competent Court. In one case, even the ejectment order has also been passed.
3. Since the authorities have initiated action for retrieving the land from illegal possession of encroachers, this writ petition has become infructuous and is disposed of as such.
4. However, District Development and Panchayat Officer, Patiala is directed to ensure that the applications are contested by the Gram Panchayat(s) properly by

leading evidence as per law. It is expected that Collector, before whom the proceedings are pending, shall make an endeavour to conclude the proceedings within six months from the date of receipt of a certified copy of this order.