



COCP No.4469 of 2024 (O&amp;M)

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

138

COCP No.4469 of 2024 (O&amp;M)

Date of Decision: 18.02.2025

**BALBIR SINGH**

Vs

**PAWANPREET KAUR**

.....Petitioner

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**Present: Mr. C.S. Singhal, Advocate  
for the petitioner.

Mr. Athar Ahmed, DAG, Punjab.

\*\*\*\*

**HARKESH MANUJA, J. (Oral)**

1. By way of present petition filed under Sections 11 and 12 of the Contempt of Courts Act, proceedings are sought to be initiated against the respondent on account of alleged willful non-compliance of order dated 21.03.2023 passed by this Court in CWP No.24916 of 2022. The relevant portion thereof is extracted hereunder:-

*“5. In consequence, the BDPO concerned, is directed to ensure, that after a valid demarcation is made of the site concerned, and, if in the said demarcation, some encroachments are noticed to be made, on the recorded Gair Mumkin Rasta, by the encroachers concerned, thereupon, he shall forthwith institute a petition 7 of The Punjab Village Common Lands (Regulation) Act, 1961, before the learned Collector concerned. Upon receiving such a petition, the learned Collector concerned, shall pass a speaking decision thereons, but after hearing all affected persons, but assuredly within a period of 4 months of its preferment before him.”*

2. Respondent having failed to comply with the aforementioned direction, present petition came to be filed wherein notice of motion was issued on 18.11.2024. In pursuance thereof, though a compliance report by way of affidavit of Ms. Rajinder Kaur, Block Development and Panchayat Officer, Phillaur has been filed, however, the same nowhere reflects that demarcation was carried out in terms of the order dated 21.03.2023 passed by the Writ Court.

2025:PHHC:023778

**COCP No.4469 of 2024 (O&M)**

3. Learned State counsel on instructions from Sh. Parvinder Singh, Panchayat Secretary, Office of BDPO, Phillaur, Jalandhar submits that a fresh identification of the Panchayat land besides carrying out its demarcation shall be done within one week from today followed by subsequent compliance about filing of petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, if at all required.

4. In view of the aforesaid undertaking by the respondent(s), learned counsel for the petitioner does not press the present petition.

5. Dismissed as not pressed. Rule stands discharged.

6. Considering the fact that the direction to consider the claim of the petitioner was passed on 21.03.2023 by the Writ Court, a period of almost 02 years has elapsed, in case the needful is not done within the aforementioned period, as per the undertaking, salaries of the Tehsildar and Block Development and Panchayat Officer, Phillaur, District Jalandhar shall remain stayed till the necessary exercise is carried out.

**(HARKESH MANUJA)**  
**JUDGE**

**February 18, 2025***Atik*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No