

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

**COCP No.1190 of 2016 (O&M)
Date of Decision: 11.07.2018**

BALVIR SINGH AND ANOTHER

..... Petitioners

Versus

**G.K. SINGH, IAS, COMMISSIONER-CUM-JOINT DIRECTOR,
PANCHAYAT, SAS NAGAR, MOHALI AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. H.S. Saggu, Advocate
for the petitioners.

Mrs. Anu Chatrath Kapur, Addl. Advocate General, Punjab
assisted by Mr. Aditya Sharda, Asstt. Advocate General, Punjab.

Mr. A.P. Kaushal, Advocate
for respondent No.2.

JASWANT SINGH, J. (ORAL)

The petitioners are the proprietors of the village having suffered a *prorata* cut contributed to the land pool, comprising *Shamlat* land of the village. The Gram Panchayat due to wrong distribution of *shamlat* land for common purposes at the time of consolidation in 1954-1955, moved an application before the Collector for declaration of title. Ultimately, the matter came before this Court in *CWP No.12339 of 2015*, filed by the petitioners, wherein, the petitioners were given liberty to file an appeal against the order dated 18.08.2011, passed by the Collector, Patiala,

declaring the Gram Panchayat to be owner.

This Court, while disposing of the aforesaid petition vide order dated 20.07.2015 (**Annexure P-1**) had also directed the Gram Panchayat to maintain the *status quo* with regard to possession and ownership of the land in dispute, during the pendency of the appeal.

The appeal is stated to have been finally decided on 25.11.2016 in favour of the Gram Panchayat and the said order, concededly, has attained finality.

In the present contempt, the allegation is that the Gram Panchayat in May 2016 proceeded to auction the land in dispute and thus handed over possession to the lessees, thereby violating the interim order.

Stricto senso, the Gram Panchayat would be guilty of violating the interim directions, however, keeping in view the ultimate result in appeal in favour of Gram Panchayat on the gamut of facts, no further action is warranted in the present contempt petition.

Disposed of.

Rule is discharged.

July 11, 2018

'rajneesh'

(JASWANT SINGH)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No