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SLP(C)No. 20391 OF 2000

ITEM No.2

Court No.10

SECTION IVB  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.20391/2000

(From the judgement and order dated 25/05/2000 in CR 1245/98  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

GRAM PANCHAYAT BHUTAL KHURD

Petitioner (s)

VERSUS

BALDEV GIR & ORS.

Respondent (s)

( With Appln(s). for permission to file additional affidavit)

Date : 2/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C.BANERJEE  
HON'BLE MR. JUSTICE K.G.BALAKRISHNAN

For Petitioner (s)

Mr. Manoj Swarup,Adv.

For Respondent (s)

Mrs.K. Sarada Devi,Adv.

UPON hearing counsel the Court made the following  
O R D E R

.....L.....I.....T.....T.....T.....T.....T.J  
.SP2

Leave granted.  
Appeal is disposed of.

.SP1

(Suman Wadhwa)  
Court Master

(D.D.Jindal)  
Assistant Registrar

Signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5034 OF 2001@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC  
(Arising out of SLP(C)No.20391/2000)

Gram Panchayat Bhutal Khurd ...Appellant

Vs.

Baldev Gir & Ors. ...Respondents

ORDER@@  
CCCCC

.....L.....I.....T.....T.....T.....T.....T.....J.  
.SP2

Leave granted.

Upon hearing submissions made on behalf of the parties we do feel it inclined to restore the order of the First Appellate Court and set aside the order of the High Court by reason of the fact that the land in question is public land. We further feel it inclined to record herein that there has been utter neglect and callousness on the part of the Gram Panchayat in prosecuting the matter in accordance with law. In the normal course of events we would not have allowed this state of affairs as has happened in the matter but since public good and public cause is required to be protected we direct restoration of the First Appellate Court's order and setting aside the order of the High Court. The conduct of the members of the Gram Panchayat, however, should not go unnoticed or unpunished for their deliberate act of negligence and they must therefore pay

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the price therefor. Thus the Sarpanch and each of Panchas shall personally pay a sum of Rs.5,000/- and the same would be deposited with the common fund of the Panchayat to be used for public purpose. It is clarified that the payment as directed above shall not come out of the fund of Panchayat. Such payment, however, be made within a period of eight weeks and the learned trial judge is directed to take steps as regards the original suit with utmost expedition and the same be completed and finally decided within a period of eight months from the date of communication of this order. Written statement, if any, be filed within four weeks and there shall not be any extension of time whatsoever.  
Appeal is disposed of.

.....J.  
(U.C.BANERJEE)

.....J.

(K.G.BALAKRISHNAN)

New Delhi;  
August 2,2001.