

Item No.2

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(Through Physical Hearing with Hybrid VC Option)

Original Application No.428/2023

S. C. Kaushal

Applicant

Versus

State of Punjab & Ors.

Respondents

Date of hearing: 10.05.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in Person (through VC).

Respondents: Mr. Divyam Nandrajog, Asst. Advocate General for Respondent No. 1, 2, 3 and 5.
Mr. Shashwat Roy, Advocate for Respondent No. 4 (through VC).
Mr. Shantanu Prasher and Ms. Divita Vyas, Advocates for Respondent No. 6.
Mr. Amit Kumar Panchal, DC, Kapurthala (through VC)
Ms. Jeenat Khehra, DDPO Kapurthala.
Mr. Mann Singh in person.

Application is registered based on a letter petition received by Post

ORDER

1. In compliance of order dated 18.03.2024 reports have been filed by DC, Kapurthala and DDPO, Kapurthala vide emails dated 02.05.2024.
2. In his report DC, Kapurthala has mentioned that Mann Singh/Lord Krishna College was in illegal possession of the land in question from the Year 2011-2012 till June 2023.

3. In her report DDPO, Kapurthala has mentioned that Mann Singh/Lord Krishna College was in illegal possession till date.

4. Respondent no. 6 has filed affidavit vide email dated 08.05.2024. In the affidavit it has been *inter alia* submitted that the land in question was not in possession of respondent no. 6 or its members directly or indirectly from the Year 2012 to 2023. In the year 2018 land was leased to Mr. Malkit Singh but the lease was cancelled by DDPO, Kapurthala vide order dated 12.04.2018. Land in question was leased to Mr. Mann Singh for the benefit of respondent no. 6 in June 2023 but lease was cancelled in November 2023 and land was not utilized by respondent no.6 or Mr. Mann Singh. The possession of land is with the Gram Panchayat.

5. In compliance of order dated 18.03.2024 Mr. Amit Kumar Panchal, DC, Kapurthala has appeared before this Tribunal through VC and Ms. Jeenat Khehra, DDPO Kapurthala and Mr. Mann Singh have appeared before this Tribunal physically.

6. Mr. Mann Singh has stated before this Tribunal that he was not in possession of the land in question from the Year 2011 – 2012 till June 2023. Lease was granted in his favour in June 2023 which was cancelled in November 2023. Physical possession was not given to him. Gram Panchayat is in possession of the land in question.

7. Mr. Amit Kumar Panchal, DC, Kapurthala, Ms. Jeenat Khehra, DDPO Kapurthala have stated that Mr. Mann Singh/Lord Krishna College are in illegal position of the land in question and possession is to be taken from them in execution of the warrant of possession issued in execution of ejectment order passed against them.

8. DC, Kapurthala is directed to file additional report with copies of all relevant documents in this regard. Report be filed by DC, Kapurthala within one month.

9. List on 06.08.2024 for final hearing.
10. Pleadings may be completed and reply/response by any of the respondents who has not filed reply/response earlier and rejoinder by the applicant may be filed before that date if so desired.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 10th 2024
AG