

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.19691 of 2015
Date of Decision: September 17, 2015

Gram Panchayat SalhawasPetitioner

versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Mr.S.K.Biriwal, Advocate, for the petitioner.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The petitioner-Gram Panchayat seeks a mandamus to direct the District Administration of Rewari to evict respondent No.4 from khasra No.38/3 which is statedly owned by Gram Panchayat and is in his illegal possession.

It may be true that the Deputy Commissioner has passed an order dated 20.02.2015 (P-2) based upon a demarcation report but that administrative order cannot be treated as an order of eviction for which the Gram Panchayat is competent to initiate proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana (for short, 'the Act').

We thus dispose of this writ petition with liberty to the petitioner-Gram Panchayat to file an eviction petition before respondent No.3 under Section 7 of the Act, who shall then decide the same in accordance with the principles of

natural justice, as early as possible and preferably within a period of four months from the date of its institution.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

September 17, 2015
mohinder

[JASPAL SINGH]
JUDGE