

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

CWP No.5104 of 2015

Date of Decision: 05.05.2015

Bachna Ram

....Petitioner

Vs.

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE AMOL RATTAN SINGH.**

Present: Mr. Vinod Bhardwaj, Advocate
for the petitioner.

Mr. D. Khanna, Addl. Advocate General, Haryana

Dr. Naresh Kaushik, Advocate
for respondent No.6.

Mr. Narender Kumar, Advocate
for respondents No.7 to 19.

Rajive Bhalla, J (Oral)

The petitioner prays for issuance of a writ of mandamus directing respondents No.1 to 6 to ensure that the private respondents who are in unauthorised occupation of Gram Panchayat's land are evicted.

After taking note of the petitioner's pleas, the Deputy Commissioner-cum-Collector, Kaithal was directed to order a demarcation

of the Shamilat Deh of Village Kheri Raiwali, Sub Tehsil Dhand, District Kaithal and submit a report. Counsel for the State of Haryana has placed on record a report prepared by the Block Development and Panchayat Officer, Kaithal. A perusal of Annexures R/A-1 and R/A-2, appended with the report reveal that they contain the names of a large number of unauthorized occupants of the Shamilat Deh of the village.

Counsel for the petitioner submits that apart from the unauthorised occupants, identified in Annexures R/A-1 & R/A-2, there are a large number of other unauthorized occupants whose names have not been recorded. Counsel for respondents No.7 to 19 states that the report is incorrect and may be rejected.

Counsel for the Gram Panchayat states that appropriate action shall be taken to evict unauthorized occupants.

We have heard counsel for the parties, perused the report and conscious of the fact that any observation on the report may prejudice the rights of parties, dispose of the writ petition in the following terms:-

a) The Assistant Collector of the 1st Grade is directed to take notice of the report and initiate proceedings for eviction against persons identified as unauthorized occupants, by following the procedure prescribed by law.

b) The B.D.P.O., Kaithal shall carry out another demarcation and in case any other person is found in unauthorized occupation of land

belonging to the Gram Panchayat, place the report before the Assistant Collector Ist Grade, who shall initiate appropriate proceedings for eviction, in accordance with law.

The petitions for eviction shall be filed, considered and decided, within three months of the receipt of a certified copy of this order.

A copy of this order be forwarded to the Deputy Commissioner, Kaithal, forthwith.

(Rajive Bhalla)
Judge

May 05, 2015
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(Amol Rattan Singh)
Judge