

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

Civil Writ Petition No.10427 of 2016

Date of Decision: May 24, 2016

Gram Panchayat, Village Salhawas

....Petitioner

versus

State of Haryana and others

.....Respondents

**CORAM:HON'BLE MR.JUSTICE SURYA KANT.  
HON'BLE MR.JUSTICE A.B.CHAUDHARI.**

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Present: Mr.Amit Parashar, Advocate, for the petitioner.  
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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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?

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**Surya Kant, J.** (Oral)

Notice of motion to respondent No. 1 to 4 only at this stage.

On our asking, Ms.Kirti Singh, learned Deputy Advocate General, Haryana, accepts notice on their behalf.

Let four copies of the writ petition be supplied to learned State counsel during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent

Nos.1 to 4 or to serve respondent No.5 at this stage as no order on merits prejudicial to his interest is being passed.

The petitioner is Gram Panchayat of village Salhawas, Tehsil and District Rewari. It alleges that respondent No.5 has made encroachment in *shamlat deh* comprising khasra No.38/3. Eviction proceedings were initiated against him and those orders have attained finality upto this Court. Respondent no.5 made last ditch effort vide CWP No.21815 of 2015 which was also not entertained on merits.

Learned counsel for the petitioner has referred to the unending correspondence between S.D.O. (Civil), Rewari and the Deputy Commissioner, Rewari which clearly suggests that Tehsildar, Rewari is apparently colluding with respondent No.5 and is not giving effect to the eviction order.

While it is not expedient for this Court to express any views on merits or to draw inference of collusion but there appears to be complete laxity on the part of the authorities in not giving effect to the eviction order. We thus dispose of this writ petition with a direction to the Deputy Commissioner, Rewari to take necessary action in accordance with the principles of natural justice and ensure that the eviction order is implemented provided that there is no other legal impediment.

The needful be done within a period of two months from the date of receiving a certified copy of this order.

Let a copy of this order be given dasti to Ms.Kirti Singh, learned Deputy Advocate General, Haryana, for information and necessary compliance.

**[SURYA KANT]**  
**JUDGE**

May 24, 2016  
*mohinder*

**[A.B.CHAUDHARI]**  
**JUDGE**