

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.10754 of 2016

Date of Decision: May 27, 2016

Smt.Kaushalya Devi

....Petitioner

versus

The State of Haryana and others

.....Respondents

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

Present: Mr.P.L.Verma, 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 is a resident of village Bhangrola, Tehsil and District Gurgaon. She alleges that some residents of the village including respondent No.5 have encroached upon the Gram Panchayat land and it has been so established by way of a demarcation report dated 19.04.2006 as well as such like subsequent exercises. It is further alleged that regardless to the demarcation report, no action is being taken by the Gram Panchayat or other authorities for the removal of encroachments. The petitioner is said to have made complaint-cum-representations to various authorities including dated 12.12.2014 and 19.02.2015 (P-3 and P-4). It is also alleged that as a result of unauthorized encroachments, the petitioner is unable to construct house on a plot

measuring 100 square yards which she had purchased from one Lala Ram son of Ballu Ram vide sale deed dated 22.02.2006.

Be that as it may, in the light of the nature of allegations which essentially involve factual issues to be determined by the authorities including respondent No.3, we dispose of this writ petition without expressing any views on merits of the allegations with a direction to the Deputy Commissioner, Gurgaon to depute an officer from the Department of Development and Panchayats for a fact-finding enquiry and if the allegations made by the petitioner are found to be correct, issue necessary instructions to the Gram Panchayat and/or other authorities for taking appropriate action in accordance with law and principles of natural justice.

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

Ordered accordingly.

Dasti.

**[SURYA KANT]
JUDGE**

May 27, 2016
mohinder

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