

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

CWP No.21434 of 2016 (O&M)

Date of Decision :15.11.2016

Bhikhu Ram and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

Present: Mr.Mahavir Sandhu, Advocate
for the petitioners.

.....

MAHESH GROVER, J.

CM No.14089 of 2016

C.M.is allowed. Annexures P-13 and P-14 are taken
on record.

CWP No.21434 of 2016

The only apprehension which the petitioners express in the present petition is that the observations made in the impugned order regarding demarcation is likely to upset their possession of the land qua which they have already initiated proceedings under Section 13-A of the Punjab Village Common Lands (Regulations) Act, 1961 (hereinafter referred to as 'the Act'). They also stated that their crops are standing and demarcation process might harm the standing crops.

After hearing the learned counsel for the petitioners we do not find any infirmity in the impugned order which merely mandates demarcation of the land to ascertain the extent of unauthorised occupation. Evidently, if the petitioners are found to be in possession of excess area, that would impact the proceedings initiated by them under Section 13-A of the Act and their claim would be restricted only to the legitimate area. Therefore, there would be no reason for the petitioners to agitate at this point of time that their possession is likely to be usurped forcibly by the respondents. All this is dependent on the demarcation of the land to which the petitioners cannot object. Let the demarcation be done but care may be taken to ensure that in the process of demarcation the standing crops of the petitioners, if any, be not damaged. Beyond that we do not want to clarify the order and if consequences of possession have to follow that would indeed follow but in accordance with law.

Petition stands disposed of.

(MAHESH GROVER)
JUDGE

15.11.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No