

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 26780 of 2016

Date of decision : December 22, 2016

Mahender Pal

..... **Petitioner**

Versus

State of Haryana and others

..... **Respondents**

**CORAM: HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLE MR. JUSTICE H.S.MADAAN**

Present:- Mr. P. S. Jammu, Advocate
for the petitioners.

T.P.S.Mann, J (oral).

Prayer made in the petition filed by Mahender Pal under Articles 226 and 227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing respondent No.4 to decide the ejectment application bearing case No. 9/VCL/6.11.2012 titled 'Mahender Pal Vs. Baag Chand'.

The aforementioned application was preferred by the petitioner under Section 7 (2) of Punjab Village Common Lands (Regulation) Act, 1961 (hereinafter referred to as 'the Act') for ejectment of respondent Nos. 8 to 10 from the panchayat land.

According to the petitioner, a period of more than four years has passed since the filing of the ejectment application but the same is being adjourned by the Sub Divisional Officer (Civil)-cum-Assistant Collector Ist Grade, Sirsa and most of the time the hearing is being adjourned at the instance of respondent Nos. 8 to 10. Prayer has accordingly, been made for directing respondent No.4 to expedite the proceedings and conclude the same within a stipulated period of time.

Having heard learned counsel for the petitioner and on going through the contents of the writ petition, it is made out that the petition under Section 7 (2) of the Act was preferred by the petitioner way back in the month of November, 2012. Upon notice the respondents had put in appearance, but have been seeking adjournments on one pretext or the other. Their sole purpose appears to delay those proceedings. The proceedings are now stated to be pending for 11.1.2017.

In view of the above, it would be in the fitness of things, to issue a direction to respondent No.4, to expedite the proceedings and conclude the same within a stipulated period of time.

The petition is, accordingly, disposed of by directing the Sub Divisional Officer (Civil)-cum-Assistant Collector Ist Grade, Sirsa-respondent No.4 to expedite the proceedings on the application filed under Section 7(2) of the Punjab Village Common Lands (Regulation) Act, 1961 and conclude the same, preferably within a period of six months from the date of receipt of certified copy of the order.

(T.P.S.MANN)
JUDGE

(H.S.MADAAN)
JUDGE

December 22 , 2016
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Whether speaking/reasoned	No
Whether Reportable	No