

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.483 of 2016 (O&M)

Date of Decision: 12.01.2016

Tayab Hussain & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE P.B. BAJANTHRI

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?

Present: Mr. Ashik Ali, Advocate for petitioners

SURYA KANT, J. (Oral)

(1) The petitioners were found to have encroached upon the Gram Panchayat land hence the eviction petition filed under Section 7(2) of the Punjab Village Common Land (Regulations) Act, 1961 as applicable to the State of Haryana was allowed against them. The petitioners' appeal against that eviction order was dismissed by the Collector though with liberty to them to approach the authorities on administrative side for the purchase of land in accordance with Rule 12 of the 1964 Rules as applicable to the State of Haryana. Such a liberty was granted on the premise that the petitioners have constructed their residential house. It is in this backdrop that the petitioners are stated to have approached the Financial Commissioner by way of a revision petition. It further appears that meanwhile the execution proceedings have been initiated and apprehending

dispossession/demolition of their houses that the petitioners have filed the instant writ petition.

(2) We have heard learned counsel for the petitioners.

(3) In view of the categorical stand taken by the petitioners in the revision petition (P6) before the Financial Commissioner Revenue, but without expressing any views on merits, we dispose of the writ petition with a direction that the *status quo re*: demolition or further construction be maintained at the site till the above-mentioned revision petition is decided.

(4) Disposed of.

(Surya Kant)
Judge

12.01.2016
vishal shonkar

(P.B. Bajanthri)
Judge