

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5199 of 2016

Date of Decision: 18.03.2016

Satyawan & Ors.

...Petitioners

VS.

State of Haryana & Ors.

... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Shekher Dhawan**

Present: Mr. Bishan Dass Rana, Advocate for the petitioners

SURYA KANT J. (Oral)

(1) The petitioners belong to the Scheduled Caste community and are residents of Village Pabra, Tehsil Uklana, District Hisar. They claim that the Gram Panchayat and/or some residents of the village are threatening to demolish their residential houses constructed way back in the year 1989 on the Gram Panchayat land. A writ of Prohibition thus is sought to restrain the demolition of their houses with a further direction to the District Administration to grant adequate protection to them.

(2) We have heard learned counsel for the petitioners and gone through the record.

(3) Except the bald averments, there is no material on record to suggest construction of houses and/or any move to demolish the same. Reference is being made to the demarcation report alleged to have been submitted by the Local Commissioner before the Tehsildar.

(4) Be that as it may, if there is any merit in the petitioners' allegations and that there are residential houses at the site, we are of the considered view that no demolition can take place and the

petitioners' cannot be dispossessed except in due course of law. Since no eviction proceedings are alleged to have been initiated, the question of providing adequate protection to the petitioners can be effectively dealt with by District Administration. The writ petition is accordingly disposed of with a direction to the Deputy Commissioner, Hisar and DDPO Hisar to look into the grievance of the petitioners and ensure that no one is allowed to take the law in hand by indulging in unauthorized or illegal dispossession of the petitioners.

(5) Disposed of.

(Surya Kant)
Judge

18.03.2016
vishal shonkar

(Shekher Dhawan)
Judge