

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.6196 of 2016

Date of Decision: April 01, 2016

Suraj Bhan

....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Ajay Chaudhary, 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 Puthi (Saman), Tehsil Hansi, District Hisar. He alleges that a substantial part of the gair mumkin Johar (pond) of the village has been encroached upon by various people who have constructed their houses or raised other structures. The petitioner and/or his son are claimed to have made complaints to various authorities but finding no action by the Gram Panchayat or the Officers of Panchayat and Rural Development Department, the instant writ petition has been filed.

Having heard learned counsel for the petitioner and keeping in view the allegations regarding encroachment of the village Pond but without expressing any views on merits of those allegations, we dispose of this writ petition with a direction to the D.D.P.O., Hisar and the B.D.P.O. of the area concerned, to ascertain the correctness of the petitioner's

allegations and if need be, instruct the Gram Panchayat to take lawful action against the encroachers. If the authorities fail to initiate action against the encroachers, liberty is granted to the petitioner to file a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana. It shall be appreciated if the authorities take necessary action in accordance with the principles of natural justice, within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

April 01, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE