

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.6609 of 2016

Date of Decision: April 07, 2016

Dinesh Sharma

....Petitioner

versus

State of Haryana and others

.....Respondents

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

Present: Mr.Parveen Sharma, Advocate, for the petitioner.
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent Nos.1 to 6 only at
this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let six copies of the writ petition be supplied to
learned State counsel during the course of day failing which
this order shall be automatically recalled and the writ petition
shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from the
respondent Nos.1 to 6 or to serve respondent No.7-Gram
Panchayat at this stage as no order on merits prejudicial to its
interest is being passed.

The grievance of the petitioner is that the Gram
Panchayat land, i.e., phirni of village Gudda, Tehsil Gharaunda,

District Karnal has been encroached upon but no action is being taken by the Gram Panchayat or other authorities for removal thereof. The petitioner has himself come forward and filed an eviction petition against some of the encroachers, however, the authorities are not carrying out the demarcation of phirni despite his representations, as a result thereof, it is difficult for him to establish that there are encroachments made on the phirni land.

Having heard learned counsel for the parties and considering the nature of relief sought by the petitioner but without expressing any views on merits of the allegations, we dispose of this writ petition with a direction to the Deputy Commissioner, Karnal and the District Development and Panchayat Officer, Karnal, to depute a team of revenue officials as well as of the Department of Rural Development and Panchayat after advance notice to the Gram Panchayat and other affected persons, to demarcate the phirni in accordance with law. The consequential action shall depend upon the outcome of the demarcation.

The needful shall be done within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

April 07, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE