

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.6998 of 2016
Date of Decision: April 12, 2016

Saroj Devi

....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

Present: Mr.Manish Soni, 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 3 only at
this stage.

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

Let three 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
official-respondents at this stage or to call upon respondent
No.4 to 20 as no order on merits prejudicial to their interest is
being passed.

The case of the petitioner is that the eviction orders (P-1 to P-11) passed on different dates commencing from 20.10.2005 till 30.07.2010, under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 as applicable to the State of Haryana (for short, 'the 1961 Act'), evicting the private-respondents from the Gram Panchayat land, have attained finality as no appeal/revision petition and/or any other judicial proceedings are pending against those orders. She further claims that there is no legal impediment against execution of these orders but the then Sarpanch of the Gram Panchayat allegedly colluded with the private-respondents and took no action to give effect to those orders. It is further alleged that the petitioner made complaints to various authorities and an enquiry report dated 02.09.2015 (P-13) has been submitted holding that the then Sarpanch was guilty of protecting the encroachers. Be that as it may, the petitioner seeks a direction for implementation of the above-mentioned eviction orders.

Having heard learned counsel for the petitioner, it appears to us that if the eviction orders have attained finality and there is no legal impediment against their execution, it is imperative upon the District Administration to take necessary steps for giving effect to those orders. We thus dispose of this writ petition with a direction to the Deputy Commissioner, Gurgaon to call for the records and ensure that the lawful action in accordance with the principles of natural justice, is taken by the Gram Panchayat and other authorities and the matter is taken to its logical conclusion within a period of four months from the date of receiving a certified copy of this order.

Let a copy of this order be given dasti to Ms.Kirti Singh, learned Deputy Advocate General, Haryana, for information and necessary compliance.

[SURYA KANT]
JUDGE

April 12, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE