

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 7843 of 2016
Date of decision: 28.04.2016

Sapat

....Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. S.K. Hooda, Advocate, for the petitioner.

Paramjeet Singh Dhaliwal, J. (Oral)

Learned counsel for the petitioner contends that the Panchayat is owner of 62 kanals 5 marlas of land as shown in the *jamabandhi* for the year 2000-2010 of village Biwan, Tehsil Ferozepur Zhirka, District Mewat (now Nuh). The said land has been encroached upon by land mafia including respondent No. 7 but no action is being taken by the authorities. He further submits that he had already issued a legal notice dated 25.01.2016 (Annexure P-6) to various authorities but no action has been taken till date.

Having heard learned counsel for the petitioner and after perusing the paper-book, however, without commenting on merits of the case, instant petition is disposed of, without issuing notice to the respondents, with a direction to respondent No.3-The Deputy Commissioner, at District Nuh to take a decision on the legal notice dated 25.01.2016 (Annexure P-6), in accordance with law. While doing so, the Deputy Commissioner will also taken into consideration the judgments of Hon'ble Supreme Court in *M.I.*

Builders Pvt. Ltd. Vs. Radhey Shyam Sahu and others, AIR 1999 SC 2468; Jagpal Singh and others Vs. State of Punjab and others, 2011 AIR (SCW) 990; The Municipal Board, Manglaur Vs. Mahadeoji Maharaj, AIR 1965 SC 1147. The needful shall be done within a period of 15 days from the date of receipt of certified copy of this order and copy of the order so passed shall be communicated forthwith to the petitioner.

28.04.2016

PA

**(Paramjeet Singh Dhaliwal)
Judge**