

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

**CWP No.10151 of 2017
Date of decision:11.05.2017**

Satish Kumar

... Petitioner

Vs.

The State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Kartik Gupta, Advocate, for
Mr. Kulwant Singh, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Mr. Kartik Gupta, learned counsel for the petitioner submits that in pursuance to the demarcation report dated 17.11.2016 (Annexure P-4), *prima facie*, it was found that certain persons were in unauthorized possession over gair mumkin passage No.85 and adjoining Phirni passage of village Kherla and as per notice dated 14.12.2016 (Annexure P-6), in this regard, the Block Development and Panchayat Officer (hereinafter referred to as 'BDPO') had issued show-cause notices to the encroachers to appear before him on 20.12.2016. Having failed to appear, again date was given for appearance on 27.01.2017. However, the aforementioned unauthorized occupants had suffered a statement before the BDPO on 27.01.2017 (Annexure P-10) and sought one week time to produce the evidence to belie the documentary evidence, much less their alleged unauthorized possession.

Mr. Kartik Gupta, Advocate further submits that more than four months have been lapsed and in this regard, representations (Annexure P-11 (Colly) have been made to the Deputy Commissioner, Gurgaon but no action has been taken so far.

In view of the aforementioned and in the interest of justice, I deem it appropriate to dispose of the present writ petition by directing the Deputy Commissioner, Gurgaon to decide the representations, Annexure P-11 (colly) by calling upon the report of BDPO with regard to pendency of the proceedings initiated before him for eviction of the unauthorized occupants and take action thereon in accordance with law preferably within a period of two months from the date of receipt of certified copy of this order.

Resultantly, the writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

May 11, 2017
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No