

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1604 of 2017 (O&M)

Date of Decision: 31.01.2017

Amit

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Sukhdeep Parmar, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner alleges that in an eviction petition filed by Gram Panchayat, respondent No.6 was found in unauthorized possession of the Gram Panchayat land measuring 122 kanal 8 marla. It is further averred that the eviction order was passed in the year 2012 and appeal against the same was also dismissed on 10.07.2014. However, no action is being taken by Gram Panchayat or BDPO Panipat to evict respondent No.6 from the Gram Panchayat land. It is further claimed that the Civil Court has held that respondent No.6 is not the legally appointed *Chela* of late Lachman Dass to whom, the land in dispute had been given as a *Dholidar*.

(2) Having heard learned counsel for the petitioner and considering the nature of relief sought by him but without expressing any views on the merits of the allegations more-so when we have not heard the Gram Panchayat or respondent No.6 at this stage, the writ petition is disposed of with a direction to respondent No.2 to 5 to ascertain the correct facts and if there is any substance in the allegations made by petitioner, let necessary action in accordance with law be taken within a period of three months from the date of receipt of certified copy of this order.

(3) Ordered accordingly.

(Surya Kant)
Judge

31.01.2017

vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?

Yes / No

2. Whether reportable?

Yes / No