

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1856 of 2017 (O&M)

Date of Decision: 02.02.2017

Isham Singh

... Petitioner

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

Present: Mr. Vinod Bhardwaj, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner is resident of village Sangroli, Tehsil Pundri, District Kaithal. He alleges that private respondents No.7 to 32 have encroached upon a substantial part of the *gair mumkin johar* (pond) of the village comprising khasra No.170/1 (0-16), 170/3 (54-13) and 171(31-18). It is further alleged that demarcation was carried out at the petitioner's instance in which it has been found that the private respondents have encroached not only the above-stated khasra Nos. but also a part of the other land of the Gram Panchayat. It is further alleged that no action is being taken by the Gram Panchayat or other authorities to remove the encroachments.

(2) Having heard learned counsel for the petitioner and considering the nature of allegations made by him but without expressing any views on merits of those allegations as we have not heard the respondents at this stage, the writ petition is disposed of with a direction to the Deputy Commissioner, Kaithal to instruct the concerned DDPO or BDPO to hold a fact finding enquiry and if there is any merit in the petitioner's allegations, to further instruct the Gram Panchayat or other authorities to take necessary action in accordance with law for the removal of encroachments.

(3) The needful shall be done within a period of three months from the date of receipt of certified copy of this order.

(4) Ordered accordingly.

(Surya Kant)
Judge

02.02.2017
vishal shonkar

(Sudip Ahluwalia)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes
No