

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19052 of 2017.

Date of Decision: August 24, 2017

Gurcharanjit Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Gursimran Singh Madaan, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The grievance of the petitioner in the instant writ petition is that pursuant to the order passed by the Deputy Commissioner-cum-Collector, Hoshiarpur, the B.D.P.O., Talwara, District Hoshiarpur vide order dated 18.12.2013 directed some residents of village Chakmirpur, Block Talwara, District Hoshiarpur, to remove the unauthorized construction which they have made on a public passage which vests in the Gram Panchayat. The petitioner's grievance is that till date the said order has not been complied with and the encroachment is still in existence at the site. Resultantly, the width of the passage has been reduced and he is unable to ply his commercial vehicles on the road. It, however, appears that no order under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 has been passed by the Prescribed Forum against the alleged encroachers.

In this view of the matter, we direct the Collector and D.D.P.O., Hoshiarpur to consider the petitioner's claim-cum-representation dated 14.07.2017 (P-6) and issue necessary instructions to the Gram Panchayat and/or an officer of the Panchayat Department to take necessary action for

eviction of the alleged encroachers from the public passage.

Let the needful be done within a period of two months from the date of receiving a certified copy of this order.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

August 24, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No