

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19108 of 2017.

Date of Decision: August 25, 2017

Bhart Singh and others

.....Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Karan Singh, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners' grievance is that the Gram Panchayat of village Mandhana, Tehsil and District Bhiwani though has filed eviction proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana, against some of the encroachers but there are other encroachers as well against whom no such action has been taken. The petitioners thus seek a direction for removal of all the encroachments from the Gram Panchayat land consisting a public passage/street.

Since under the Act as applicable to the State of Haryana, a resident of the village is also competent to file eviction petition under Section 7, it appears to us that the petitioners have got an efficacious alternative remedy which can be availed by them. The writ petition is accordingly disposed of with liberty to the petitioners to file an eviction petition and if any such an action is initiated, the Assistant Collector, 1st Grade concerned is directed to decide the petition expeditiously and preferably within six months from the date of its filing.

[SURYA KANT]
JUDGE

August 25, 2017

mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No