

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2601 of 2016 (O&M)

Date of Decision: January 27, 2017

Puran

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Yogesh Saini, Advocate, for
Mr.R.K.Dhiman, Advocate, for the petitioner.
Mr.R.D.Sharma, Deputy Advocate General, Haryana.
Mr.R.K.Upadhyay, Advocate, for respondent No.5.
Mr. Harkesh Manuja, Advocate, for respondents No.11,14 to 16,
18,22 to 25 & 27.

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Surya Kant, J. (Oral)

The instant writ petition seeks a direction to the official respondents to take action for the eviction of respondent Nos.6 to 28 from the Gram Panchayat land against whom the order dated 01.10.2014 was passed and even directions for execution of the eviction order were issued. It appears that the above-stated eviction order was set-aside in appeal and the matter was remitted. Thereafter, the Assistant Collector, 1st Grade, Gurgaon vide order dated 17.10.2016, appended as R-3 with the written statement filed in Court by the Gram Panchayat, again ordered the eviction of private-respondents and penalty of Rs.10,000/- per acre per year has also been imposed on them.

Since private-respondents have a right to file appeal against that order, we are of the considered view that the instant writ petition has become infructuous as eviction order has already been passed

by the Assistant Collector, 1st Grade, Gurgaon. In the event of any appeal filed by the private-respondents, the petitioner shall be at liberty to assist the Appellate Authority so that the appellate proceedings can also be decided expeditiously.

Ordered accordingly.

[SURYA KANT]
JUDGE

January 27, 2017
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[SUDIP AHLUWALIA]
JUDGE

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

**CM Nos.8886, 9572 & 9601 of 2016 in
CWP No.2601 of 2016.**

Puran versus State of Haryana and others

Present: Mr.Yogesh Saini, Advocate, for
 Mr.R.K.Dhiman, Advocate, for the petitioner.
 Mr.R.D.Sharma, Deputy Advocate General, Haryana.
 Mr.R.K.Upadhayay, Advocate, for respondent No.5.
 Mr.Harkesh Manuja, Advocate, for
 respondent Nos.11, 14 to 16, 18, 22 to 25 & 27.

CM No.8886-CWP of 2016.

For the reasons mentioned in the application, the same is allowed subject to all just exceptions and written statement filed on behalf of respondent Nos.11, 14 to 16, 18, 22 to 25 and 27 is taken on record.

CM stands disposed of.

CM No.9572-CWP of 2016.

For the reasons mentioned in the application, the same is allowed subject to all just exceptions and rejoinder filed by the petitioner to the written statement filed on behalf of respondent Nos.11, 14 to 16, 18, 22 to 25 and 27 is taken on record.

CM stands disposed of.

CM No.9601-CWP of 2016.

For the reasons mentioned in the application, the same is allowed subject to all just exceptions and reply filed by respondent No.5 is taken on record.

CM stands disposed of.

**[SURYA KANT]
JUDGE**

January 27, 2017

**[SUDIP AHLUWALIA]
JUDGE**