

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27379-2016

Date of Decision: January 09, 2017

Bijender

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Mufaid Khan, Advocate
for the petitioner.

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SURYA KANT, J.

The petitioner alleges that encroachments have been made on the Gram Panchayat's land of village Bishanpura, District Jind. He further alleges that said encroachments have been identified in Demarcation Report dated 22.06.2012 (Annexure P1). On this premise a direction is sought to the authorities for removal of encroachments.

[2] Since the alleged encroachers are not party-respondents and no order adverse to their interest can be passed behind their back, the desired directions cannot be issued.

[3] Further more, the petitioner has got an effective alternative remedy under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 as applicable to State of Haryana, whereunder he can seek

eviction of such encroachers. We, thus, dispose of this writ petition relegating the petitioner to the said alternative remedy. We have no reason to doubt that no sooner the petition would be filed, the Assistant Collector Ist Grade shall decide the same expeditiously.

(SURYA KANT)
JUDGE

January 09, 2017
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(SUDIP AHLUWALIA)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |