

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.24183 of 2017

Date of Decision: October 26, 2017

Puran

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Rakesh Dhiman, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is a resident of village Dhana, Tehsil and District Gurgaon. He seeks a direction to the official-respondents to execute the eviction order dated 17.10.2016 passed by the Assistant Collector, 1st Grade, Gurgaon against private-respondent Nos.6 to 28. It is alleged that the Gram Panchayat land which is reserved for Higher Secondary School, has been encroached upon by the private-respondents against whom the above-stated eviction order was passed under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana.

The petitioner had earlier also approached this Court through CWP No.2601 of 2016 which was disposed of on 27.01.2017 observing that since private-respondents have a right to file appeal against the eviction order, no relief could be granted to the petitioner at that stage except to observe that the petitioner would be at liberty to assist the Appellate Authority.

In the instant writ petition, the petitioner has taken a stand that the he has not been served with any notice of appeal and as such it appears that no appeal has been filed against the eviction order.

If that is so, we dispose of this writ petition with a direction to the Deputy Commissioner, Gurgaon and DDPO, Gurgaon to verify the correctness of the petitioner's stand and take necessary steps to implement the eviction order, provided that there is no legal impediment against implementation of the said order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 26, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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