

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.4825 of 2017.

Date of Decision: October 26, 2017

Inder

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Ms.Indu Bala, Advocate, for
Mr.Aditya Jain, Advocate, for the petitioner.

-.-

Surya Kant, J. (Oral)

The petitioner through the instant writ petition seeks a direction to the official respondents including Deputy Commissioner, Palwal to take action against the private-respondent Nos.6 to 13 who are alleged to have encroached upon the public passage which vests in the Gram Panchayat of village Selothi, Tehsil and District Palwal. The public passage is comprised of Khasra Nos.313 and 61/15. The petitioner further alleges that the encroachment has been made in connivance with the Sarpanch of the Gram Panchayat and a boundary wall has also been constructed.

The petitioner has placed on record the zimine orders which suggest that he has already approached the Court of Assistant Collector, 1st Grade, Palwal by way of a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana, seeking eviction of the private-respondents impleaded in that petition, from the panchayat land.

In our considered view, the petitioner has rightly availed the alternative remedy available under the Act. Consequently, the writ petition

to expeditiously decide the above-mentioned petition as early as possible and preferably within a period of six months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 26, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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

109 CM No.12986 of 2017 in
CWP No.4825 of 2017

Inder vs. State of Haryana and others

Present : Ms.Indu Bala, Advocate, for
Mr.Aditya Jain, Advocate,
for the applicant-petitioner.

* * *

For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and the zimine orders (P-3 Colly.) are
taken on record.

CM stands disposed of.

(SURYA KANT)
JUDGE

October 26, 2017
mohinder

(SUDHIR MITTAL)
JUDGE