

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.8307 of 2017

Date of Decision.24.04.2017

Rajvir Singh

.....Petitioner

Vs

State of Haryana and others

.....Respondents

Present: Mr. Jasmer Singh Rozera, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

-.-

AMIT RAWAL J.(ORAL)

The grievance of the petitioner is that the private respondents, particularly, respondent No.4, being Sarpanch of the village, in connivance with respondent No.5, have encroached upon the piece of land which is reflected from the demarcation report. This court called upon the counsel to point out names of persons in the demarcation report and the reference was given to the site plan. The petition is bereft of the pleadings with regard to whether the possession is unauthorized or not on the basis of lease, proprietorship etc. This Court also called upon the counsel about his locus standi. The reply was that he is resident of the village. It is strange that a resident of the village has sufficient time and resources to seek grievance against the private respondent. It is apparently a proxy litigation at the hands of defeated candidate, who has not come forward. If at all the petitioner is aggrieved, he can always avail remedy of first establishing the encroachment and then seek alleged disqualification.

The contention of the petitioner qua private respondent being working as Anganwari Worker is only imaginary as no documentary evidence has been placed on record, therefore, the ratio decidendi relied

upon by learned appearing on behalf of the petitioner in **Smt. Bali Devi Vs. State of Haryana and others 2014(1) RCR (Civil) 1034** does not apply to the facts and circumstances of the present case.

No ground for interference is made out. The writ petition is dismissed.

(AMIT RAWAL)
JUDGE

April 24, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No