

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

COCP No.1294 of 2017 (O&M)

Date of Decision: 30.01.2018

BRIJ BHUSHAN

..... Petitioner

Versus

MANDIP SINGH BRAR, DEPUTY COMMISSIONER, KARNAL

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. D.K. Mittal, Deputy Advocate General, Haryana
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Brij Bhushan alongwith other non-proprietors had filed CWP No.6958 of 2004, seeking to protect the common lands used by the residents of the village from various encroachers, i.e. the proprietors, claiming the lands in question to be *Jumla Mushtarka Malkan*. A Division Bench of this Court vide order dated 13.08.2015 (Annexure P-1) disposed of the aforesaid writ petition, directing the Deputy Commissioner, Karnal to make an enquiry and based on such findings, direct the Gram Panchayat to file ejectment petition(s)/title petition(s) under Section 13-A of The Punjab Village Common Lands Act, 1961 (for short 'the Act, 1961) (as applicable to State of Haryana).

Since, the needful was not done within time, hence the present

contempt petition was failed.

Upon notice, a reply by Deputy Commissioner, Karnal has been filed, alongwith the reply, an enquiry report dated 24.07.2017 (**Annexure R-1**) has been placed on record.

Learned State counsel, on instructions from Shri Sanjay Kumar, Gram Sachiv, Gram Panchayat, Kalsora, submits that pursuant to findings of the enquiry report dated 24.07.2017 (**R-1**), Gram Panchayat, Village Kalsora, Tehsil Indri, District Karnal has filed a title suit under Section 13-A of the Act, 1961 against 71 proprietors/encroachers of the suit land.

In view of the above, it is conceded that no further proceedings are warranted in the present contempt petition, therefore, the same is **dismissed**.

January 30, 2018
'rajneesh'

(JASWANT SINGH)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>