

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CR No. 5044 of 2017 (O&M)

Date of decision : May 21, 2018

Satbir Singh

..... Petitioner

Versus

Assistant Collector Ist Grand and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Mani Ram Verma, Advocate
for the petitioner.

None for the respondents.

AMIT RAWAL, J (oral).

The present revision petition has been filed under Article 227 of the Constitution of India for issuance of direction to respondent No.1-Assistant Collector Ist Grade, Charkhi Dadri, District Charkhi Dadri for expeditious disposal of the application filed under Section 7 of the Punjab Village Common Land Act, 1961 (as applicable to the State of Haryana) (hereinafter referred to as 'The Act') filed against respondent Nos. 2 to 8 who have allegedly encroached upon the pathway in Khasra No. 189 measuring 0 Bigha and 16 biswas Pukhta situated in Village Laad, Tehsil Badhra, District Charkhi Dadri on the premise that the stay application is pending adjudication since 11.5.2012.

Learned counsel appearing on behalf of the petitioner submits that as far as zimni orders extracted in the revision petition commencing from 13.6.2012 to 13.7.2017 are concerned, the Presiding officer has not decided the application and the whole purpose of filing the application is defeated. This Court on 1.8.2017 had issued notice of motion. As per office report respondent Nos. 2(a) and (b) are not residing at the given address and respondent No. 2(c) and (d) have not met at the time of

service. It can be seen that they are intentionally avoiding the service.

Without commenting on the merits and demerits of the case, particularly when the application filed under Section 7 of the Act is pending adjudication since the year 2012 and the zimni orders extracted in the revision petition show that the matter has been adjourned on one pretext or the other, I deem it appropriate to dispose of the revision petition with a direction to respondent No.1-Assistant Collector Ist Grade, Charkhi Dadri, District Charkhi Dadri to decide the application filed under Section 7 of the Act as early as possible preferably within a period of one year from the date of receipt of certified copy of this order.

May 21, 2018
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(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No