

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23746 of 2018.

Date of Decision: September 17, 2018

Thakur Dass

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Jagmohan Ghumman, Advocate for the petitioner.

Mr.Sandeep Moudgil, Additional AG, Haryana.

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Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 & 2 only at this stage.

On our asking, Mr.Sandeep Moudgil, learned Additional Advocate General, Haryana, accepts notice on their behalf.

Let two copies of the writ petition be handed-over to him during the course of day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent nos.1 & 2 or to serve respondent No.3 at this stage as no order prejudicial to their interest is being passed on merits.

The petitioner is said to have constructed a house for the last more than 30 years on Old Khandsa Road, Narsinghpur, Gurugram. He is allegedly paying property tax also. It appears from the averments made by the petitioner that the land is *shamlat deh* which obviously vests in Gram Panchayat.

Be that as it may, the petitioner's allegation is that respondent Nos.2 & 3 are threatening to dispossess him without following due process of law. The petitioner has in this regard made representations dated 22.03.2018 and 24.06.2018. The only relief sought by the petitioner is to direct the respondents to consider his representations.

The writ petition is thus disposed of without expressing any views on merits, with a direction to respondent Nos.2 & 3 to verify the petitioner's claim and if residential house is constructed at the site, let he be not dispossessed without an advance notice. Let an appropriate decision be taken within a period of two months from the date of receiving a certified copy of this order.

[SURYA KANT]
JUDGE

September 17, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

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