

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

CWP No.1222 of 2019

Date of decision : 15.10.2019

Prithvi Singh

..... Petitioner

versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present: Mr. Piyush Aggarwal, Advocate for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

None for respondents No. 5 and 6.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has prayed for the issuance of a writ in the nature of mandamus directing respondents No.1 to 4 to initiate proceedings for removing the encroachment from the land of the Gram Panchayat as per the demarcation report dated 12.10.2017 and subsequent report dated 25.06.2018 and to hand over the vacant possession of khasra No. 586 to respondent No.5-Gram Panchayat.

In the reply filed on behalf of respondents No. 2 to 4 it is submitted that the proceedings have already been initiated by way of filing petitions under Section 7(2) of the Punjab Village Common Land (Regulation) Act, 1961 against the alleged encroachers.

We have heard learned counsel for the parties and after going through the record, are of the considered opinion that the case of the

petitioner is that the land is in unauthorised possession of private respondent No.6 and no proceedings are being initiated at the instance of respondents No. 1 to 4 for his eviction. The grievance of the petitioner is against the Gram Panchayat who has already filed a petition under Section 7 of the Act which is the only legal remedy to seek eviction of the unauthorised occupants from the shamlat deh.

In view thereof, there is hardly anything left in this case which would warrant any interference by this Court under Article 226 of the Constitution of India.

Writ petition is thus disposed of as having been rendered infructuous.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

15.10.2019
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No