

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

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**CWP-4078-2019 (O&M)
Date of Decision : 10.04.2019**

Shishan Kumar

... Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM:HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Ms. Sonia G.Singh, Advocate for the petitioner.

RAKESH KUMAR JAIN, J.(ORAL)

This petition is filed by the resident of village Bir Dhandari, Block Nissing, Tehsil Nissing, District Karnal for seeking a direction from this court for initiating action against the persons in unauthorized possession who are stated to be the relatives of the Sarpanch and the other Panches.

We have heard learned counsel for the petitioner and after examining the record of the case, are of the opinion that the writ petition is an extraordinary remedy and is invoked when the ordinary remedy is not available. In the present case, petition under Section 7 of the Punjab Common Lands (Regulation) Act, 1961 (as applicable to Haryana) (for short 'the Act') can be maintained by the inhabitants of the village for seeking removal of the unauthorized occupation of the persons from the land of the panchayat.

In view thereof, the present petition is hereby dismissed as not pressed with liberty to the petitioner to file the application under Section 7 of the Act, if so advised.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

10.04.2019

pooja saini

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No