

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

**CWP No.19072 of 2019
Date of Decision: 16.07.2019**

Hari KishanPetitioner
Versus
State of Haryana and othersRespondents

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

Present : Mr. Kuldip Singh Chaudhary, Advocate for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner is a resident of Village Nanakpur, Tehsil Kalka, District Panchkula. His grievance is that the private respondents have illegally encroached upon the Panchayat land which is used for common purpose. It is also submitted that the encroachment has been prima facie proved by way of demarcation report but despite his representation, the official respondents are not taking any action.

We have heard learned counsel for the petitioner and after examining the record, are of the considered opinion that the petitioner has the remedy to file a petition as an inhabitant of the village under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (for short, "the Act").

Faced with this observation, counsel for the petitioner prays for withdrawal of the present petition to take appropriate steps to file a petition under Section 7 of the Act.

Dismissed as withdrawn with liberty aforesaid.

**(RAKESH KUMAR JAIN)
JUDGE**

16.07.2019

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**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No