

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-19243-2019 (O&M)
Date of Decision:22.08.2019

Gurdeep Singh

. Petitioner

Vs.

State of Haryana and others

. Respondent

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

Present: - Mr.Arun Kumar, Advocate, for
Mr. Nonish Kumar, Advocate, for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

CM-11744-CWP-2019

Application is allowed as prayed for.

CWP-19243-2019

The petitioner had filed a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 [for short 'the Act'] for seeking ejectment of respondent No.4 from Khasra No.195 measuring 1 kanal 4 marla belonging to the Gram Panchayat/respondent No.5. He has approached this Court with a prayer to issue a direction to respondent No.3 to expedite and decide the said petition as according to him, the trial of the case is not making any headway. However on perusal of the zimini orders produced by the petitioner by way of separate application, which has also been allowed today, we have found that on 19.3.2019, defence of respondent No.4 was struck off and the petitioner has been granted opportunity to lead his evidence. We have also found that the petitioner has taken two dates on 5.4.2019 and 17.5.2019 to produce his evidence and still the case is at the stage of evidence of the petitioner. In such circumstances, prayer made by the petitioner cannot be accepted as the ball is in the Court of the petitioner, who is supposed to lead his evidence as early as possible for the purpose of closing the trail of the case as defence of respondent No.4 has already been struck off.

In view of the aforesaid, we do not find any merit in the present petition for the purpose of interference.

Dismissed.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

22.08.2019
Vivek

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