

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

CWP No. 21069 of 2019

Date of Decision: 02.09.2019

MOMAN RAM

..... *Petitioner*

V/s.

STATE OF HARYANA AND OTHERS

.....*Respondents*

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

Present: Mr. Gurdarshan S. Sidhu, Advocate
for the petitioner.

RAKESH KUMAR JAIN, J. (Oral)

This petition is filed for seeking a writ in the nature of *mandamus* directing respondents No.1 to 4 to restore the *Rasta Sareaam* (Public Passage) No. 1376 in the area of village Sant Nagar, Tehsil Rania, District Sirsa which has been allegedly encroached upon by the private respondents No. 6 to 10.

After hearing learned counsel for the petitioner and examining the record, we are of the considered opinion that the petitioner has a remedy under Section 7 of Punjab Village Common Lands (Regulations) Act, 1961 to seek eviction of the private respondents if they have allegedly encroached upon the land being used for the common purposes.

In view of the above, this writ petition is not maintainable, therefore, the same is dismissed on the said ground only but liberty is granted to avail the remedy in accordance with law.

**[RAKESH KUMAR JAIN]
JUDGE**

September 2, 2019

Ess Kay

**[ARUN KUMAR TYAGI]
JUDGE**

Whether speaking / reasoned :

Yes / No

Whether Reportable :

Yes / No