

CWP-253-2021
Date of decision : January 07, 2021

RAKESH KUMAR

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. S.S. Sahu, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This writ petition has been filed seeking a direction to respondent No.3 to take necessary action pursuant to issuance of show cause notice dated 31.12.2019 (Annexure P3) to respondent No. 7. It is vehemently argued that as per detailed inquiry report dated 15.10.2019 as well as report dated 27.05.2020 (Annexure P5), respondent No. 7 was found to be encroaching upon panchayat land. It is submitted that application under Order 39 Rules 1 and 2 CPC in the civil suit filed by respondent No. 7 has also been dismissed by the learned Additional Civil Judge (Senior Division) Sirsa vide order dated 06.08.2020 (Annexure P4) but still no action is being taken by the Deputy Commissioner.

After arguing at length, learned counsel for the petitioner seeks to withdraw this petition with liberty to approach the Deputy Commissioner for expeditious disposal of the proceedings pursuant to issuance of show cause notice dated 31.12.2019 (Annexure P3).

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the case, this writ petition is disposed of with liberty to the petitioner to approach the Deputy Commissioner with the prayer as addressed. Needless to say it is expected that if any application/representation is submitted by the petitioner within one week, same shall be considered and dealt with expeditiously by the Deputy Commissioner in accordance with law and after hearing all concerned parties.

January 07, 2021
Rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No