

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

107

CWP-4860-2021

Date of Decision: 02.03.2021

Gram Panchayat Village Ram Nagar Kapoori

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJAN GUPTA.
HON'BLE MR. JUSTICE KARAMJIT SINGH.

PRESENT: Mr. Vikram Singh, Advocate for the petitioner.

Mr. Aman Bahri, Additional Advocate General, Haryana.

RAJAN GUPTA, J. (Oral)

Case has been heard through Video Conferencing on account of COVID-19 Pandemic.

Petitioner-Gram Panchayat seeks a writ in the nature of mandamus to direct the respondents to remove illegal encroachments of the private respondents over the shamlat land common passage in compliance with the eviction order dated 27.10.2017 (Annexure P-1) and order dated 16.1.2020 (Annexure P-2).

Admittedly, execution is maintainable under Proviso to Section 7 of the Punjab Village Common Land Act. It is, thus, inexplicable how a writ of mandamus would be maintainable for execution of orders passed by the lower authorities.

However, at this stage, Mr. Bahri, who has an advance copy of the petition, submits that the matter would be looked into by the concerned authority and appropriate decision shall be taken.

Disposed of.

(RAJAN GUPTA)
JUDGE

March 2, 2021
gbs

(KARAMJIT SINGH)
JUDGE