

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

CWP-1889-2022

Date of decision : 19.05.2022

Manjeet Singh and another

.....Petitioners

Versus

State of Haryana and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sandeep Singh Ghangas, Advocate
for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

In compliance with the order passed by this Court on 05.05.2022, status report by way of an affidavit of Vikas Yadav, Block Development and Panchayat Officer, Narnaund, District Hisar dated 17.05.2022 has been filed in Court. In Paras 2 and 3, it has been stated as follows:-

'2. That it is pertinent to mention here that in compliance of orders of Hon'ble High Court dated 03.02.2022, to initiate the process of removal of encroachments, after the issuance of notices under Section 24(1) of the Haryana Panchayati Raj Act, 1994 a total number of 45 new cases of ejectment under Section 7 of the Punjab Village Common Land Act, 1961 have been filed in the Court of Assistant Collector, Narnaund covering all the 474 encroachers identified in the demarcation reports dated 01.04.2018, 20.12.2018 and 05.01.2020 covering both phirni and other Shamlat land of the Gram Panchayat, Rajthal. Now the ejectment application filed under Section 7 of the Punjab Village Common Land Act, 1961 are under consideration of Assistant Collector 1st Grade, Narnaund and after finality of the ejectment

order by the Court illegal encroachment will be removed as per due process of law. First hearing of 40 cases covering 228 encroachers has been held on 11.05.2022 and 20 cases have now been kept for submission of written reply by the respondents, 19 cases are to be proceeded for ex-parte proceedings and 1 case for issuing notices to the legal heirs of the deceased respondent and remaining new cases are scheduled for first hearing on 18.05.2022.

3. *That the representation dated 02.08.2021 submitted by the petitioner for removing all the encroachment over the phirni road of the village Rajthal has been duly undertaken by answering respondent and 45 new cases have been filed against the encroachers under Section 7 of the Punjab Village Common land Act, 1961 as per the demarcation report dated 01.04.2018 and other two demarcation reports'.*

In the light of the above, the present writ petition has been rendered infructuous.

Learned counsel for the petitioner has stated that the encroachment is still continuing and the construction is being carried out on that encroached land. If that be so, let an appropriate application be filed before the authority, where the proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act 1961, had been initiated and are pending for passing of an appropriate order.

The present writ petition stands disposed of as infructuous.

(AUGUSTINE GEORGE MASIH)
JUDGE

May 19th, 2022

(SANDEEP MOUDGIL)
JUDGE

ps-I

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No