

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

**CWP-6149-2022**

**Date of Decision:** October 17, 2022

**SATBIR**

..... Petitioner

**Versus**

**STATE OF HARYANA AND OTHERS**

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL  
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. A.P.S. Nain, Advocate for  
Mr. Ajay Ghangas, Advocate for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana.

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**LISA GILL, J.**

Prayer in this writ petition is for quashing of order dated 26.11.2018 (Annexure P1) passed by the Sub Divisional Officer-cum-Assistant Collector First Class, Samalkha whereby ejectment of the petitioner has been ordered in proceedings under Section 7 (2) of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to the State of Haryana) initiated by respondent No. 6; order dated 11.04.2019 (Annexure P2) passed by the learned Collector, Panipat as well as order dated 06.10.2021 passed by the Divisional Commissioner, Karnal Division, Karnal.

It is relevant to note that fresh demarcation was ordered to be carried out in this writ petition with the petitioner bearing cost thereof. It was further directed vide order dated 28.03.2022 that in case, the petitioner was found to be in illegal possession of the land in question on submission of demarcation report,

he would hand over vacant possession thereof within a period of one week of submission of demarcation report. Demarcation of the area was, accordingly, carried out. Report dated 24.09.2009 was submitted.

Affidavit dated 14.07.2022 of Ms. Ritu Lather, Block Development and Panchayat Officer, Samalkha-cum-Administrator, Gram Panchayat Dikadla Block, Samalkha District Panipat, was filed in Court wherein it was found that certain encroachment in the form of some construction had been carried out on the street by the petitioner. Time afforded to the petitioner to remove the same was extended, in view of certain tragedy, which had occurred in the family.

Learned counsel for the petitioner submits that entire encroachment, which was found to have been carried out by the petitioner, stands removed. This fact is verified by learned counsel for the State, on instructions from Ms. Poonam, BDPO, Smalkhan.

In this view of the matter, this writ petition is rendered infructuous and is disposed of accordingly.

**(LISA GILL)**  
**JUDGE**

**October 17, 2022**

Rts

**(HARSH BUNGER)**  
**JUDGE**

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