

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

CWP-7618-2022

Decided on: 30.05.2022

Subhash Chander

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: Ms. Bindu Tanwar, Advocate for
Ms. Savita Rana, Advocate
for the petitioner.

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

On 18.04.2022, following order was passed:-

'Petitioner has approached this Court with the basic averment that despite an order passed by the Block Development and Panchayat Officer on 18.11.2021, ordering demarcation of phirni of the village Begampura, which has actually been carried out, no action thereon has been taken thereafter despite large number of encroachments totalling 63 persons having been found in illegal possession of the Gram Panchayat's land/phirni. The said persons have been arrayed as respondents No.5 to 67.

Let the counsel for the State to seek instructions from the concerned District Development and Panchayat Officer as well as Block Development and Panchayat Officer with regard to the action taken in pursuance to the demarcation report (Annexure P-4) and place on record the status report within a period of three weeks.

List for consideration on 30.05.2022'.

Status report in compliance with the above order by way of an affidavit of Panchayats Administrator-cum-Block Development & Panchayat Officer, Gharaunda District Karnal-respondent No.4. In Paras 3 and 4 it has been stated as follows:-

3. That in compliance of aforesaid order, it is submitted that after got demarcated the land in question of village Begampura from Tehsildar, Gharaunda, a total of 63 notices under Section 24(1) of The Haryana Panchayati Raj Act-1994 were issued by the deponent to a total number of 63 illegal encroachers on 12.01.2022 with the directions to remove their illegal encroachments and if they have any documentary proof then produce the same before the deponent. After receiving no response, subsequent a total of 63 notices under Section 24(2) of the Act were also issued on 21.01.2022 to them with the directions to produce documents in support of their version on 29.01.2022, failing which, illegal encroachments will be removed by the Gram Panchayat and all the expenses for the will be recovered from them.

4. That after receiving no response from illegal encroachers, deponent has filed 4 ejectment appeals under Section 7(2) of Punjab Village Common Land (Regulations) Act 1961 against the illegal encroachers before the competent authority i.e. Sub Divisional Magistrate, Gharaunda and the same are under consideration and fixed 17.05.2022. As and when the same will be decided by the ld. Lower Court, illegal encroachment will be got removed from the land in question at the earliest'.

In the light of the above, with the proceedings having been initiated against the encroachers/illegal occupants of the Gram Panchayat land under the Punjab Village Common Lands (Regulation) Act 1961, no

further orders are required to be passed except for directing the District Development and Panchayat Officer before whom the proceedings under Section 7 are pending, to decide the same preferably within a period of one year from the next date of hearing, which is stated to be fixed for 14.06.2022 before the said authority.

The present petition stands disposed of with the above direction.

(AUGUSTINE GEORGE MASIH)
JUDGE

30.05.2022

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable : Yes No