

CWP No.10866 of 2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.10866 of 2022
Date of decision : 18.07.2022

Chuni Lal

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

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

Present: Mr. Sushil Kumar Verma, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

This writ petition has been preferred by the petitioner praying for issuance of a writ of *mandamus* directing the respondents to remove the encroachment(s) from the Gram Panchayat land belonging to the public road. The case of the petitioner is based upon the demarcation report dated 05.11.2016 (Annexure P-3).

Having been called upon by the Court, an affidavit of the Block Development and Panchayat Officer, Sirsa – cum – Administrator Gram Panchayat, Kotli, District Sirsa, dated 01.07.2022, has already been placed on record. In para 2 thereof, it has been stated that the encroachments as pointed out in the demarcation report dated 05.11.2016 (Annexure P-3) were removed at the spot in the year 2018. The encroachers were evicted

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from the land of the Gram Panchayat, Kotli. Thereafter, there has been no demarcation.

In the light of the above and keeping in view the fact that there is no pleading to the effect that there has been any other demarcation except for the one referred to above, we do not find any ground for accepting the prayer made by the petitioner in the writ petition.

Disposed of.

However, it would be open to the petitioner to approach the respondents for fresh demarcation of the land which according to him is being encroached upon and in pursuance thereof, if some encroachments are found, appropriate action in accordance with law be taken by the Competent Authority.

(AUGUSTINE GEORGE MASIH)
JUDGE

18.07.2022
Harish

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No