

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 15299 of 2022 (O&M)
Date of Decision: 11.11.2022

Nafe Singh

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Rupender Singh, Advocate
for the petitioner.

LISA GILL, J(Oral).

CM-17706-CWP of 2022.

Annexure P-5, is taken on record subject to just exceptions.

Application is accordingly disposed of.

CWP No. 15299 of 2022.

Prayer in this writ petition is for a direction to the official respondents to ensure removal of alleged illegal possession of respondents no.7 to 9 over Khasra no. 146 and 250 stated to be situated in Abadi Deh of Gram Panchayat Land of village Paposa, Tehsil Bawani Khera, District Bhiwani.

As per averments in the writ petition, ejectment of respondents no. 7 to 9 was ordered by the Assistant Collector 1st Grade-cum-Sub Divisional Officer (Civil), Bhiwani, vide order dated 29.01.2018 passed in the petition under Section 7 of the Punjab Village Common Lands Act, 1961. Thereafter, warrant of possession was also issued, but no action it is averred has been taken. Order dated 11.01.2021 is stated to have been

challenged by respondents no.7 and 8, but no interim relief had been granted by the Collector. It is thus prayed that this writ petition be allowed.

At this stage, it is pointed out that CWP No. 19989 of 2022 had been filed by another resident of the village seeking similar directions for removal of encroachment by respondents no.7 to 9. The said writ petition has been disposed of on 05.09.2022 with a direction to the competent authority to decide the pending appeals filed by the private respondents expeditiously and definitely within a period of three months with necessary action to be taken by the official respondents.

It is to be noticed that the petitioner had also claimed water logging of a part of the area in question due to non removal of encroachments. However, as of now, it is informed that water logging is no longer present.

Keeping in view the facts and circumstances as above, especially the directions passed on 05.09.2022 in CWP No. 19989 of 2022 no further orders are called for in this writ petition. Needless to say, in case, the petitioner subsequently faces an issue regarding water logging, he is at liberty to approach respondent no.5, who would address the issue immediately in accordance with law.

Writ petition is disposed of accordingly.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

November 11, 2022.

s.khan

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.