

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

Civil Writ Petition No. 30650 of 2018

Date of Decision: August 23, 2022.

Mahender Singh Chawla

..... PETITIONER (s)

Versus

State of Haryana and others

..... RESPONDENT (s)

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

Present: Mr. Sanjiv Kumar Yadav, Advocate
for the petitioner.

Mr. Raman Sharma, Addl.AG, Haryana.

Mr. Vivek K.Thakur, Advocate
for respondent No.5-Gram Panchayat.

LISA GILL, J.

Prayer in this writ petition is for issuance of direction to respondents No.4 and 5 to initiate action for recovery of possession of the Gram Panchayat land measuring 146 Kanals 18 Marlas situated in village Sanoli Khurad, Tehsil Bapauli, District Panipat from unauthorized occupants.

Learned counsel for the respondents submit that this writ petition is rendered infructuous as action has been taken by the respondent-Gram Panchayat for removal of all illegal encroachments. Notice under Sections 24(1) and 24(2) of the Haryana Panchayati Raj Act, 1994 was issued to the encroachers and petition under Section 7(2) of the Punjab Village Common Lands (Regulations) Act, 1961 was filed on 14.01.2019 against about 100 persons, who were found to be in illegal encroachment of the Gram Panchayat land. Eviction of the said persons has been ordered by the Assistant Collector, 1st Grade, Samalkha vide order dated 29.11.2021. Appeals filed by the affected persons are stated to be

pending. It is further submitted that the petitioner has himself illegally encroached upon Gram Panchayat land. However, he has filed a suit for declaration and permanent injunction in which interim relief was granted to him by the learned Civil Judge (Junior Division), Samalkha vide order dated 01.03.2019.

Learned counsel for respondent-Gram Panchayat assures that necessary and timely action shall be taken to ensure removal of all illegal encroachments on Gram Panchayat land and restore possession thereof.

Keeping in view the facts and circumstances of the case, it is directed that the pending appeals arising out of order dated 29.11.2021 be decided expeditiously by the appellate authority and definitely within a period of three months from the date of receipt of certified copy of this order.

Learned Trial Court before whom the civil suit for declaration and permanent injunction filed by the petitioner is pending shall also endeavour to dispose of the same expeditiously. Copy of this order be conveyed to the concerned court.

Writ petition is, accordingly, disposed of.

Status report in respect to proceedings initiated by the Gram Panchayat be filed by 22.12.2022. Status of the civil suit be also indicated. Matter be put up solely for this purpose on the said date.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

August 23 , 2022.
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No