

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

CWP-6077-2020

Date of decision : 11.10.2023

Raghubir Singh and others

.....Petitioners

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Bhupinder Ghai, Advocate
for the petitioners.

Ms. Upasana Dhawan, AAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

Petitioners have approached this Court praying for issuance of direction to the official respondents to take appropriate legal action against respondent No.7 on the order passed by District Magistrate Faridabad dated 05.12.2019 (Annexure P-8) on the basis of which help was sought by BDPO, Faridabad on 16.12.2019(Annexure P-9) and since as per demarcation conducted on 24.12.2019(Annexure P-10) it was found that respondent No.7 was raising illegal construction on the land of irrigation and water resources department in absolute illegal manner and even inspite of demarcation report no action has been taken till today against respondent No.7 and the construction is still going on in connivance with local administration. Further prayer has been made for issuance of direction to respondent No.3 to take immediate steps against respondent No.7 as per law and also with further direction to decide representation filed by petitioner (Annexures P-12 and P-13).

expeditiously. Further prayer has been made for directing respondent No.3 to recover the cost of illegal construction raised by respondent No.7 from him as per Section 53 of the Haryana Panchayati Raj Act.

Notice was issued and the State was directed to file reply. Learned State counsel has drawn the attention of this Court to Annexure R-2 i.e. the order dated 08.07.2020 passed by Deputy Commissioner, Faridabad. It has been submitted that on verification by the BDPO no fault on the part of Sarpanch was found as the chaupal was found on the same place where old chaupal existed. Thus, as no illegality has been found on verification, nothing more survives for adjudication in this case. Accordingly, petition is disposed of. However, the petitioner is at liberty to avail his further remedies in case any cause of action survives.

11.10.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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