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2023:PHHC:062205

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15119-2015

Date of decision : 01.05.2023

Shamsuddin

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Suryaveer S. Surjewala, Advocate for
Mr. Sunil K. Nehra, Advocate for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana, for respondent Nos.1 to 3.

Mr. O.P. Sharma, Advocate for respondent No.5.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to remove the illegal encroachment carried out by respondent No.5 on the common village land.

2. Learned counsel for the petitioner has submitted that as per Annexures annexed along with short reply by way of an affidavit of respondent No.2 which is at page 103 of the paper book, although, it has been stated that there is no passage in existence but it has been stated that land in question is shamlat deh land and thus, in view of the same, he seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to file an application under Section 7 of the Haryana Village Common Lands (Regulation) Act, 1961 or institute other proceedings, in accordance with law.

3. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

01.05.2023

Pawan

(VIKAS BAHL)
JUDGE

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