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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-14798-2023

Date of decision:18.07.2023

AMARJEET SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR  
HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K.S. Sekhon, Advocate  
for the petitioner.

Mr. Ankur Mittal, Addl. AG Haryana with  
Mr. Saurabh Mago, DAG, Haryana.

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**SURESHWAR THAKUR, J. (ORAL)**

1. The learned State counsel makes a statement before this Court, that Annexure P-1 shall be forthwith recalled, but with liberty to the Gram Panchayat concerned, through its Sarpanch forthwith instituting a petition under Section 7 of the The Haryana Village Common Lands (Regulation) Act, 1961, (hereinafter referred to as the “Act of 1961”), a petition for eviction against the encroachers concerned, over the panchayat lands.
2. In view of the above, the learned counsel for the petitioner seeks leave to withdraw the instant petition. Leave granted.
3. Dismissed as withdrawn.
4. However, till a lawful petition is constituted under the provisions (supra), of the Act of 1961, no coercive action shall be drawn against the present petitioner, at the instance of any Authority concerned.

5. Before parting, it is deemed essential to make an oral reprimand upon the Authority concerned, who drew Annexure P-1, contents whereof became extracted hereinafter.

*“By sending a copy of this it is wrote to Raju Singh Gram Sachiv Gram Panchayat Village Dadu to mgot copy of demarcation from Halqa Kanungo and make ensure action according to rule and make ensure to inform about action to Block office.”*

6. The reason being that Annexure P-1 cannot at all stand judicial scrutiny, as, it is not made within the contours of the rule of law. Predominantly when despite legal recourses being available to the Gram Panchayat concerned, to ensure the eviction of the present petitioner from the panchayat land, yet in a slipshod, arbitrary manner, and, in an ill informed Annexure P-1, has been drawn, thus by an official, who without any Authority of law, thus has made untenable proposals thereons, thereby untenably resulting in endangerment(s) being caused to the structures, if any, raised on the petition lands by the present petitioner.

**(SURESHWAR THAKUR)**  
**JUDGE**

**18.07.2023**

Ithlesh

**(KULDEEP TIWARI)**  
**JUDGE**

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