

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

CWP-25411-2023

Date of Decision : 09.11.2023

MAHABIR SINGH

.....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

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

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (Oral)

1. The learned State counsel on instructions imparted to him by the concerned, does not oppose the prayer made by the learned counsel, for the petitioner, that a mandamus be made upon the Sarpanch of the Gram Panchayat concerned, or to the BDPO concerned or reserving liberty even to the present petitioner, to forthwith institute a petition, seeking thereby the eviction of the encroachers, upon, the land owned and possessed by the Gram Panchayat, but before the learned Assistant Collector concerned.

2. Therefore, the said prayer is allowed and a mandamus is passed upon the above. The said eviction petition be forthwith instituted by any of the above before the learned Assistant Collector concerned. On such a petition being filed, it shall be lawfully decided through a speaking decision being made thereons, but the said decision shall be made only after hearing all affected persons concerned, and, shall be positively made

within a period of four months from its preferment.

2. Needless to state, that before the institution of the said petition, a valid demarcation shall be made of the petition lands, wherein, the participation of all the aggrieved concerned, shall be elicited and shall also be ensured.
3. Disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

09.11.2023
kavneet singh

(SUDEEPTI SHARMA)
JUDGE

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