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Swaran Kumar

Versus

State of Haryana and others

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. Lupil Gupta, Advocate for the petitioner.

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Sureshwar Thakur, J.(Oral)

1. The petitioner alleges that the private respondents concerned, have made encroachment(s) upon public passage/rasta bearing khasra No.181 of village Kheri, Tehsil Nathusari Chopta. Thus, he makes a prayer that a mandamus be made upon the official respondents concerned, to ensure that the encroacher(s) concerned, are forthwith evicted from the petition lands.

2. Consequently, this Court directs the BDPO concerned, to forthwith institute a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana), in respect of the disputed lands before the Collector concerned, who on receiving the same, shall make a lawful speaking decision thereons, but after hearing all affected persons concerned, yet positively within a period of six months from its preferment.

3. 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.

4. Disposed of with the above directions.

(SURESHWAR THAKUR)
JUDGE

(LALIT BATRA)
JUDGE

08.01.2024
d.gulati

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