

In the High Court of Punjab and Haryana at Chandigarh

(111)

CWP No. 2777 of 2024 (O&M)
Date of Decision: 9.2.2024

Bijender Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Robin Lohan, Advocate
for the petitioners

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 Mr. Satyawan, BDPO, Hansi Block-II submits, that both Annexures P-1, and, P-1 whereby, the encroachers, upon the disputed lands were ordered to be evicted therefrom, rather has acquired a conclusive, and, binding effect. The learned State counsel also submits, that both Annexures P-1, and, P-2 have been completely complied with.
2. In consequence, the relief asked for in the instant petition for a mandamus being made to enforce the above Annexures become rendered infructuous, and, the same is disposed of as such.
3. However, if any re-encroachments are made on the disputed land, post the successful execution of the warrants of possession against the unlawfully encroached estates by the judgment debtors concerned, and, if the said encroachments are made by the very same judgment debtors, thereupon, it is yet open to the BDPO concerned, or to the Sarpanch of the

demarcation of the re-encroached sites, thus by the very same judgment debtor, thus rather ask for the drawing of fresh warrants of possession for thereby the re-encroachment made on the disputed lands are ensured to be forthwith removed.

4. It is further clarified, that if any debris is lying on the disputed land, the same be also ensured to be forthwith removed from the disputed path.

(SURESHWAR THAKUR)
JUDGE

(SUKHVINDER KAUR)
JUDGE

February 09, 2024
Gurpreet

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