

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6791-2024
Date of decision : 21.03.2024

Rajender KumarPetitioner

versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ashwani Verma, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of writ in the nature of Certiorari/Mandamus directing the respondents to demarcate the land of the Gram Panchayat Siswal comprised in Khasra No.439, 443, 447, 448 and 392 to ascertain the illegal encroachment of over the land of the Gram Panchayat by setting aside the impugned letter dated 26.09.2023 (Annexure P-14) issued by respondent No.5 and issuance of a direction to the respondents to initiate the proceedings for removal of the illegal encroachments upon the land of the Gram Panchayat, Siswal District Hisar with immediate effect in the terms of Section 24 of the Haryana Panchayati Raj Act, 1994; with a further direction to the respondents to conduct an independent enquiry upon illegal encroachments of the Gram Panchayat's land/areas of village Siswal Tehsil Adampur District Hisar and initiate a legal action against the illegal occupants of the Gram Panchayat's land in accordance with law.

It has been contended by the learned counsel for the petitioner that though the demarcation was earlier directed to be made,

however, the BDPO i.e. respondent No.5 clandestinely restrained Tehsildar from carrying out the same. He submits that thereafter the petitioner served the legal notice dated 04.01.2024 (Annexure P-15) upon the respondents, however no action has been taken on the same till date. He submits that having left with no other remedy, the petitioner has approached this Court by way of filing the present writ petition.

Notice of motion to the official respondents at this stage.

Ms. Upasana Dhawan, A.A.G., Haryana accepts notice on behalf of respondents-State. She has stated that in case representation is filed by the petitioner before respondent No.4 i.e. The Tehsildar, Adampur, District Hisar, then he will decide the same.

Learned counsel for the petitioner prays for allowing the petitioner to file representation before respondent No.4 and respondent No.4 be directed to decide the same in a time bound manner.

After hearing both the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file his appropriate representation before respondent No.4 as prayed for within a period of 10 days from today. If any such representation is filed by the petitioner within the stipulated period, then respondent No.4 i.e. The Tehsildar, Adampur, District Hisar, is directed to decide the same in accordance with law within a period of four weeks from the date of its filing.

In view of the above, present petition is disposed of.

21.03.2024

ps-I

(RAJESH BHARDWAJ)
JUDGE

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