

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

2024:PHHC:138553-DB



(121)

CWP-28679-2024

Date of Decision: 22.10.2024

Rajiv Kumar

--Petitioner

Versus

State of Haryana & others

--Respondents

**CORAM:- HON'BLE MR. JUSTICE G.S. SANDHAWALIA.
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA.**

Present:- Mr. Pankaj Bali, Advocate with
Mr. Sikandh Mehta, Advocate for
the petitioner.

Mr. Saurabh Mago, D.A.G., Haryana.

G.S. SANDHAWALIA.J (Oral)

1. In the present petition, directions have been sought for demarcation of the land in the revenue estate of village Nabipur, District Karnal and for providing adequate police help to get vacated the land in dispute which is in the illegal possession of respondents no.5 to 11 as well as other encroachers, in view of various applications filed in this regard.

2. The present writ petition has been filed on the premise that there is no other alternative efficacious remedy.

3. However, we are of the considered opinion that under Section 7 of the Haryana Village Common Lands (Regulation) Act, 1961 an application can be filed by an inhabitant/residents of the village apart from the fact that the Assistant Collector has various powers.

4. In such circumstances, once there is a specific remedy, it is always open for the petitioner to file an appropriate application before the

court of competent jurisdiction since disputed issues are involved as to which party is in illegal occupation and to which extent of the common land. It will also be open for the petitioner to file an appropriate application before the competent authority to get the land demarcated.

5. Faced with above situation, learned counsel for the petitioner does not press the present petition and the same is, accordingly, dismissed as not pressed, with liberty to avail his remedy in accordance with law.

(G.S. SANDHAWALIA)
JUDGE

22.10.2024
lucky

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No