

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

CWP-29428-2023

Date of Decision : 15.02.2024

HARI OM AND ANR.Petitioners

Versus

STATE OF HARYANA AND ORS.Respondents

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

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

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

Mr. Sarun Hans, Advocate
for respondent No. 4.

SURESHWAR THAKUR, J. (Oral)

1. The learned State counsel on instructions imparted to him submits that the panchayat resolution with a proposal therein for allotment(s) of *Ghade-Khad* being made to the present petitioners, thus has been accorded approval by the competent approving authority, but he submits that encumbrance free delivery of the allotted plots could not be made to the present petitioners as there are some encroachment(s) made on the allotted *Ghade-Khad* by certain encroachers.
2. If so, the Sarpanch of the Gram Panchayat concerned, is directed to forthwith institute a petition under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana) before the Assistant Collector concerned, who shall on receiving the said petition is directed to within three months thereafter, make a lawful decision thereons but after hearing all affected persons concerned.
3. Disposed of accordingly.

**(SURESHWAR THAKUR)
JUDGE**

**(SUKHVINDER KAUR)
JUDGE**

15.02.2024