



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.34796 of 2024
Date of Decision: 20.12.2024

Rajbir
...Petitioner

Versus

State of Haryana and others
...Respondent

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

Present:- Mr. Ajay Chaudhary, Advocate
 for the petitioner.

 Mr. Ankur Mittal, Additional A.G., Haryana with
 Mr. Saurabh Mago, D.A.G., Haryana.

G.S. Sandhawalia, J.(Oral)

The present petition has been filed directing the official respondents to remove the unauthorized occupation from the Panchayat land from the unauthorized occupants, who are not impleaded as party.

2. We are of the considered opinion that there is an alternative efficacious remedy in the form of Section 7 of the Haryana Village Common Lands (Regulation) Act, 1961, which provide that an inhabitant of the village can file an application to the competent authorities and there is summary procedure prescribed for the removal as such.

3. In the absence of the private respondents, being the alleged encroachers, having not been made party also, it would not be appropriate as such to issue any direction in their absence. The factum of the evidence and



whether to what extent they are in unauthorized occupation, is again a matter of fact which has to be put before the concerned authorities and then only an order has to be passed. The writ Court is, thus, handicapped to that extent and in view of the alternative efficacious remedy available, we do not feel that any further action is required in the present case. Liberty is accordingly granted to the petitioner, to take recourse to his remedies.

4. The present writ petition is disposed of.

(G.S. SANDHAWALIA)
JUDGE

20.12.2024
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(MEENAKSHI I. MEHTA)
JUDGE

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