

2025.PHHC:179729



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

**CWP-29084-2025 (O&M)
Date of Decision: 11.12.2025**

Jagat Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vikas Prakash, Advocate for
Mr. Gagandeep Singh Virk, Advocate
for the petitioner.

Mr. Navneet Singh, Addl. A.G., Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing the official respondents No.2 to 4 to take necessary action in view of the representations dated 16.06.2025 (Annexure P-6) and 21.07.2025 (Annexure P-7), submitted by the petitioner against respondent No.6 Manjit Kaur, who has allegedly encroached upon Panchayat land bearing Khasra No.1696 by constructing a private path.

1.1 A further prayer has been made seeking directions upon the official respondents No.3 and 4 to file a status report before this Court regarding the aforesaid representations.

2. Briefly, the petitioner is stated to be a former Panchayat member and a resident of Village Gobindpur, District Shaheed Bhagat Singh

Nagar. The Gram Panchayat is stated to own and control Shamlat Deh land bearing Khasra No.1096. According to the petitioner, during the tenure of respondent No.6 as Sarpanch, an illegal path was carved out through the said Panchayat land for facilitating access to a private well located in the fields of the in-laws of respondent No.6.

2.1 It is the petitioner's case that he had initially submitted representation dated 22.04.2013 (Annexure P-2) before Block Development and Panchayat Officer, Banga, highlighting that respondent No.6 had encroached upon Panchayat land by constructing a private path, however, no action was taken by the authorities at that time.

2.2 Thereafter, the petitioner is stated to have filed a fresh complaint dated 17.07.2013 (Annexure P-3) before the Director, Rural Development and Panchayats, Punjab, whereupon, a Patwari report dated 17.01.2014 (Annexure P-4) was prepared, confirming existence of the path over Khasra No.1096; however, no effective action was taken.

2.3 Petitioner states that he subsequently submitted representations dated 16.06.2025 (Annexure P-6) and 21.07.2025 (Annexure P-7), requesting removal of the path and initiation of proceedings against respondent No.6; whereupon, notice dated 12.08.2025 (Annexure P-8) was issued but no further action has been taken and the alleged illegal path continues to exist.

3. In the aforementioned circumstances, the petitioner has filed the instant civil writ petition for seeking relief(s), as noticed hereinabove.

4. Heard.

5. The primary grievance raised by the petitioner is that the Panchayat land comprised in Khasra No.1096 has been illegally encroached

upon since 2013 by construction of a private path for the benefit of respondent No.6. It is stated that the authorities have taken no action, despite his representations dated 16.06.2025 (Annexure P-6) and 21.07.2025 (Annexure P-7).

6. Evidently, in the year 2013, when the alleged encroachment is stated to have been carried out, at that time, the petitioner was a Member Panchayat. The petitioner is stated to have submitted representations dated 22.04.2013 (Annexure P-2) and 17.07.2013 (Annexure P-3); whereupon, the Block Development and Panchayat Officer, Banga, had issued a letter dated 30.01.2015 (Annexure P-5). Apparently, after 2015, there was a complete silence on the part of petitioner until 16.06.2025, when he is stated to have submitted another representation (Annexure P-6). It appears that the concerned Block Development and Panchayat Officer has issued a letter dated 12.08.2025 (Annexure P-8) to the Sarpanch of Gram Panchayat Gobindpur.

7. Be that as it may, upon considering the aforementioned circumstances, I am of the view that the issues as regards the alleged encroachment, its extent and also the persons who are alleged to be the encroachers, would require leading of evidence; which is not possible in the present proceedings.

7.1 Accordingly, the instant writ petition is dismissed, however, leaving it open to the petitioner to avail his remedies before the competent Civil Court or any other statutory forum, if so advised.

8. All the pending application(s), if any, shall also stand closed.

11.12.2025

Apurva

(HARSH BUNGER)
JUDGE

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| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |