



117

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

CWP-11886-2026 (O&M)

Date of Decision : 30.04.2026

RAVINDER SINGH RAGHAV

.... Petitioner

VERSUS

STATE OF HARYANA AND ORS

.... Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN
HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present : Mr. Akash Khurcha, Advocate and
Mr. Varun Singla, Advocate for
Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Saurabh Mago, DAG Haryana for respondents No.1 and 2.

Mr. Rajesh Lamba, Advocate for respondent No.3.

ALKA SARIN, J. (ORAL)

1. Prayer in the present writ petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing the impugned *ex parte* order dated 16.08.2017 (Annexure P-2) passed by respondent No.2 herein on an application filed by respondent No.3- Gram Panchayat under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 as applicable to Haryana (hereinafter referred to as the 'Act of 1961').

2. It has been averred in the writ petition that the application under Section 7 of the Act of 1961 was filed on 27.07.2017 against Mahender Singh (father of the petitioner herein) who had already expired on 11.02.2013. It has

further been averred that the legal representatives of deceased Mahender Singh were never impleaded and as such they never came to know of the pendency of the application.

3. Learned counsel for respondents No.1 and 2 and learned counsel for respondent No.3-Gram Panchayat, who have appeared on advance notice, are not in a position to dispute the fact that the application under Section 7 of the Act of 1961 was filed against a dead person and that the said fact also finds mention in the impugned order dated 16.08.2017 passed by the Assistant Collector First Class, Nuh, District Nuh.

4. In view of the above and in view of the admission made by the learned counsel for the respondents that the application under Section 7 of the Act of 1961 was filed against a dead person, the impugned order dated 16.08.2017 (Annexure P-2) cannot be sustained and the same is accordingly set aside.

5. It is made clear that respondent No.3-Gram Panchayat would always be at liberty to proceed in the matter in accordance with law.

6. The writ petition stands disposed off accordingly. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

(RAMESH CHANDER DIMRI)
JUDGE

30.04.2026

Aman Jain

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No