

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CWP-17606-2026 (O&M)****Date of Decision : 27.05.2026**

Nayak Mohammad alias Naik Mohmmad

... Petitioner

Versus

State of Haryana and Others

... Respondents

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

Present: Mr. Vikram Singh, Advocate
Ms. Sumitra, Advocate and Mr. Nitin Dhakla, Advocate
for the petitioner.

ALKA SARIN, J. (Oral)

1. The limited prayer in the present petition is for protecting the possession of the petitioner till such time as the petition filed under Section 13-AA(2) of the Haryana Village Common Lands (Regulation) Act, 1961 (for short the 'Act of 1961') pending before the Financial Commissioner-cum-Principal Secretary, Revenue [exercising the power under Punjab Village Common Lands (Regulation) Act, 1961] is decided.

2. Learned counsel for the petitioner would contend that earlier also respondent No.2 - Commissioner, Ambala Division, District Ambala - had passed order dated 27.03.2018 (Annexure P-3) holding that the proceedings under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 would be kept in abeyance till such time as the petition filed by the petitioner herein under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 is not decided.

3. Notice of motion.

4. Mr. Saurabh Mago, DAG Haryana accepts notice on behalf of respondent Nos.1 to 4 and on instructions states that it is only the apprehension of the petitioner that he would be dispossessed and that the order was passed on 27.03.2018 when the petition under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 was disposed off. Thereafter, an appeal was also filed by the petitioner, which remained pending from 28.07.2022 to 02.04.2026, and no coercive steps were taken against the petitioner. Therefore, it is only the apprehension in the mind of the petitioner that steps would be taken to evict him during the pendency of the petition pending before the Financial Commissioner-cum-Principal Secretary, Revenue, Haryana.

5. In view of the above, the present petition is disposed off with a direction to the Financial Commissioner-cum-Principal Secretary, Revenue, Haryana to decide the petition under Section 13AA(2) of the Act of 1961 within a period of two months from today. Till such time as the petition is not decided, no coercive steps would be taken against the petitioner. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

27.05.2026
jk

(RAMESH CHANDER DIMRI)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO