



CWP-31491-2024 (O&M)

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

CWP-31491-2024 (O&M)

Date of decision : 20.05.2026

Ankit Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Jagandeep Singh Virk, Advocate,
for the petitioner.

Mr. Neeraj Gupta, Addl. Advocate General, Haryana.

Mr. Sandeep Siwach, Advocate,
for respondent No.7.

Mr. Vikram Singh, Advocate (arguing counsel), and
Mr. Harkirat Singh, Advocate,
for respondents No.8 to 12.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present petition, which is categorized as PIL, has been filed essentially to execute the order dated 31.03.2014 (Annexure P-17) passed by the Co-ordinate Bench in CWP-6068-2014, titled “Balbir Singh and others Vs. State of Haryana and others”. The order dated 31.03.2014 reads thus :-

“Notice of motion.

*Mr. Ajay Gupta, Addl. Advocate General, Haryana
accepts notice on behalf of respondents No.1 to 6.*



A complete set of paper-book be supplied to him during the course of the day.

The grievance made in the present petition is qua encroachment on the village pond, phirni, etc. in respect of the shamlat land of village Chakda, Tehsil Nissing, District Karnal (Haryana) by villagers and Lambardar of the area, who are petitioners. The encroachment is alleged to be that of husband of the Sarpanch and it is stated that despite an order being passed as far back as 16.8.1990 under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to State of Haryana, at ground level, nothing has been done. Instructions are stated to have been issued by superior authorities, but to no effect and, thus, the present writ petition has been filed under Article 226 of the Constitution of India for issuance of appropriate writ, order or direction in public interest to the concerned authorities to take action qua the encroachments.

*A reference has been made to an earlier order passed by us in CWP No.3571 of 2014 on 25.2.2014 where we had relied upon the judgment of the Hon'ble Supreme Court in **Jagpal Singh and others vs. State of Punjab and others, 2011 AIR (SC) 1123** and there is a mandate for the State Governments and Union Territories to take action for protection of the Gram Sabha/Gram Panchayat/ Poramboke/Shamlat land with a scheme for speedy eviction, more so as part of the area is village pond.*

We, thus, call upon the State of Haryana to take action in accordance with law qua the encroachments and inform the Court as to what steps have been taken to implement the said judgment of the Supreme Court in the State.

The petition accordingly stands disposed of.



List for compliance on 11.04.2014 when the respondents will file a compliance report at least three days prior to the next date.”

2. The aforesaid order was essentially founded upon the ratio of law laid down by the Apex Court in the case of **Jagpal Singh and others Vs. State of Punjab and others, AIR 2011 (SC) 1123.**

3. The record of CWP-6068-2014 reveals that after the said petition was disposed of on 31.03.2014, compliance report was filed on 22.09.2014, wherein it was revealed that in regard to 13 kanal 11.5 marlas, action was taken to remove all the encroachers and the land, after being made encroachment-free, was handed over to Gram Panchayat, Village Chakda. However, the report further reveals that in respect of land measuring 1 kanal, some *pucca* houses were built and when action for eviction was tried to be taken by the revenue authorities, there was resistance by the residents and as a result, force could not be applied.

3.1 Therefore, the compliance report reveals that substantial compliance of the order dated 31.03.2014 has been made, except in respect of encroachers found on 1 kanal of land, belonging to Gram Panchayat. The compliance report indicates that since there was paddy crop around the area concerned, the demarcation process could not be executed and was deferred.

4. In view of above, since the present petition has been filed for execution of the aforesaid order dated 31.03.2014 of the Co-ordinate Bench and one of the prayers is to direct the revenue authorities to conduct fresh demarcation, this Court directs that fresh demarcation in respect of entire Panchayat land of village Chakda, within *phirni*, be conducted in terms of the procedure laid down in Punjab Land Revenue Act, 1887 and the Rules framed



thereunder, including instructions on the same subject, within a period of six months. Compliance report be filed latest by 30.09.2026. Registry is directed to list this matter as IOIN, in case compliance report is not filed or there is something amiss in the report.

5. Accordingly, the petition stands disposed of.
6. All the pending applications also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

May 20, 2026
narotam

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No