

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.13021 of 1990
Date of Decision: 27.4.2015

Ram Chander and another ..Petitioners

versus

The Secretary to Government of Haryana
Panchayat and Development Department, Haryana
and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. R.S.Mamli, Advocate, for the petitioners.

Mr. D.Khanna, Addl.Advocate General, Haryana.

RAJIVE BHALLA, J. (ORAL)

The petitioners, apart from challenging the vires of Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 (insofar as it applies to the State of Haryana), challenge orders dated 28.2.1990 (Annexure P-7) and 30.5.1990 (Annexure P-8) passed by Assistant Collector 1st Grade and the Collector, Kurukshetra, respectively, ordering their eviction and dismissing their appeal.

Counsel for the petitioners submits that in view of an amendment, deleting the period of limitation, the petitioners give up challenge to the vires of Section 13-A of the Act. Counsel for the petitioners also states that the petitioners give up challenge to the orders of eviction, passed under Section 7 of the Act but with liberty to approach the Collector, under Section 13-A of

the Act, to establish their title.

No one is present on behalf of the Gram Panchayat.

Mr. D.Khanna, Additional Advocate General, Haryana states that liberty may not be granted to the petitioners, to approach the Collector as they have been in unauthorised occupation of Gram Panchayat property for the last more than two decades.

We have heard counsel for the parties and in view of statement made by counsel for the petitioners, dismiss the writ petition with liberty to the petitioners to approach the Collector under Section 13-A of the Act. The enforcement of the eviction orders is stayed for a period of three weeks from today.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

27.4.2015
VK