

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.6206 of 1993

Date of Decision: 21.5.2015

Khubi

..Petitioner

versus

Commissioner, Hisar Division, Hisar and others

..Respondents

Civil Writ Petition No.6933 of 1993

Sobha Ram

..Petitioner

versus

Commissioner, Hisar Division, Hisar and others

and

Civil Writ Petition No.7119 of 1993

Smt. Shanti and others

..Petitioners

versus

Commissioner, Hisar Division, Hisar ..respondents

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

Present: Mr. Gurnam Singh, Advocate, for the petitioner.

Mr. P.S.Bajwa, Addl.Advocate General,Punjab
for respondent nos. 1 and 2.

Mr. Raj Kumar Gupta, Advocate
for Mr. Babu Ram Gupta, Advocate,
for respondent no.3.

RAJIVE BHALLA, J. (ORAL)

By this order, we shall decide Civil Writ Petition Nos. 6206, 6933 and 7119 of 1993 as they arise out of the same impugned judgment.

The petitioners pray for issuance of a writ of certiorari for setting aside orders dated 10.12.1991 (Annexure P-1) and 28.4.1993 (Annexure P-2) passed by Collector, Fatehabad and Commissioner, Hisar Division, Hisar, ordering their eviction.

After addressing arguments for some time and when faced with dismissal of the writ petitions, counsel for the petitioners states that he does not press challenge to the eviction order but prays that liberty may be granted to the petitioners to file a petition under Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana) (hereinafter referred to as "the Act"), to prove that the land in dispute even though described "Jumla Mushtarka Malkan, Wa Digar Haqdarar", was never reserved for any common purpose and, therefore, does not vest in the Gram Panchayat under Section 2(g)(6) of the Act.

Counsel for the Gram Panchayat submits that he has no objection to the statement made by counsel for the petitioner.

In view of statement made by counsel for the petitioners, the writ petitions are dismissed as withdrawn with liberty as prayed. However, dispossession of the petitioners

shall remain stayed for a period of one month.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

21.5.2015
VK