

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.15080 of 1999
Date of Decision:21.5.2015

Ved Parkash and others ..Petitioners

versus

The Collector, Yamuna Nagar and others ..Respondents

Civil Writ Petition No.15081 of 1999

Rattan Singh and others ..Petitioners

versus

The Collector, Yamuna Nagar and others ..Respondents

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

Present: Mr. Harish Nain, Advocate, for the petitioners.

Mr. D.Khanna, Addl.Advocate General, Haryana.
for respondent nos. 1 and 2.

None for respondent no.3-Gram Panchayat.

RAJIVE BHALLA, J. (ORAL)

By way of this order, we shall decide CWP Nos.15080
and 15081 of 1999.

The petitioners pray for issuance of a writ in the nature of
certiorari for quashing orders dated 6.12.1996 and 20.5.1997 passed
by the Assistant Collector, 1st Grade, Yamuna Nagar and the
Collector, Yamuna Nagar, respectively.

Counsel for the petitioners states that he has instructions

not to press the petition on merits, but prays that as the petitioners have constructed houses, liberty may be granted to the petitioners to file an application before the Gram Panchayat under Rule 12(4) of The Punjab Village Common Lands (Regulation) Rules, 1964 (hereinafter referred to as "the 1964 Rules"), to consider selling land to the petitioners.

Counsel for the Gram Panchayat is not present.

Counsel for the State of Haryana submits that as the petitioners are unauthorised occupants of land belonging to the Gram Panchayat, liberty to purchase the land may not be granted.

As counsel for the petitioners has given up challenge to the eviction order on merits, the impugned orders are affirmed. However, as counsel for the petitioners has prayed that liberty may be granted to file an application under rule 12(4) of the 1964 Rules, the writ petition is disposed of by granting liberty to the petitioners to file an appropriate application under rule 12(4) of the 1964 Rules. In case such an application is filed, it shall be considered and decided by the Gram Panchayat, in accordance with law, within three months of its filing.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

21.5.2015
VK