

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

**CWP No.10954 of 2015
Date of Decision: 29.05.2015**

Gram Panchayat, Chhapra Jagir

.....Petitioner

Versus

State of Haryana & others

....Respondents

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

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

Mr. D.Khanna, Addl. A.G., Haryana.

RAJIVE BHALLA, J (ORAL)

The Gram Panchayat, Chhapra Jagir is before us, stating that the respondents have refused to provide police assistance for auction of land described as “*Jumla Mushtarka Malkan Wa Digar Haqdaran Hasad Rasad Arazi*” by misunderstanding order dated 22.10.2009 passed in CWP No.4280 of 2007 as divesting the Gram Panchayat of its ownership.

Counsel for the petitioner submits that all that was directed in the aforesaid order was that the original position of “*Jumla Mushtarka Malkan Wa Digar Haqdaran Hasad Rasad Arazi*” be restored thereby accepting that the land was reserved for common purposes of the Gram Panchayat during consolidation. The official respondents may, therefore, be directed to provide police protection to the Gram Panchayat

during auction of this land.

Counsel for the State of Haryana states that he has no objection if the direction as prayed is issued.

We have heard counsel for the parties and perused order dated 22.10.2009 passed in CWP No.4280 of 2007. The order merely directs revenue authorities to restore the original nomenclature of the land i.e. "*Jumla Mushtarka Malkan Wa Digar Haqdarani Hasad Rasad Araz*". It would be appropriate to clarify that land described as "*Jumla Mushtarka Malkan Wa Digar Haqdarani Hasad Rasad Araz*" is created and reserved during consolidation for the common purposes of the village and is to be managed and controlled by a Gram Panchayat. The official respondents are duty bound to provide police assistance to the Gram Panchayat, for auction of this land.

Consequently, the writ petition is disposed of by directing the Deputy Commissioner, Karnal-respondent No.3 and the Superintendent of Police, Karnal to provide adequate police protection to Gram Panchayat, Chhapra Jagir for auction of its land.

**[RAJIVE BHALLA]
JUDGE**

29.05.2015
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**[AMOL RATTAN SINGH]
JUDGE**