

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

Date of decision:30.06.2015.

Kharaiti Lal and others

.....Petitioners

v.

State of Haryana and others

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Vikram Singh,Advocate for the petitioners
Mr.Rajesh Sheoran,Addl.AG Haryana

Jaswant Singh,J.(Oral)

Seven petitioners claim themselves to be of *Bazigar* community and belonging to Scheduled Caste as well. They further claim to be in possession of rural inferior evacuee property since more than 20 years. It is submitted that Haryana Government vide notification dated 18.1.2011 has framed Haryana Evacuee Properties (Management and Disposal)Rules,2011 (for short Rules 2011) whereby procedure for transfer of rural land on the basis of unauthorised long possession under Rule 8 has been prescribed. It is further submitted that the petitioners pursuant to the policy embodied in the Rules 2011 had made their individual applications before Tehsildar(Sales)Sales Office,Karnal (P-5 colly.) within the time frame provided in the Rules 2011.

Grievance of the petitioners is that inspite of the right

having accrued to them as per policy and having applied in time under the Rules 2011, no decision has been taken for transfer of ownership of parcels of land in their unauthorised possession since long.

The prayer at this stage is only for a direction to the competent authority to take appropriate decision in accordance with law by passing a speaking order.

On the asking of the Bench, Mr.Rajesh Sheoran, Additional Advocate General,Haryana accepts notice and very fairly does not oppose the limited prayer which is reasonable.

Accordingly, present writ petition is disposed of with a direction to the competent authority to take appropriate decision in accordance with law. In case the petitioners are not entitled to such a relief as claimed, the same shall be declined by passing a speaking and reasoned order. The needful shall be done within six months from receipt of certified copy of this order.

30.06.2015.
joshi

(Jaswant Singh)
Judge