

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.19119 of 2015
Date of Decision: September 10, 2015

Bansi Lal and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE JASPAL SINGH.

Present: Mr.Adarsh Jain, Advocate, for the petitioner.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The petitioners claim themselves to be allottees of 100 square yard plots by the Gram Panchayat of their village under 'Mahatma Gandhi Gramin Basti Yojna'. The B.D.P.O., Palwal has filed a petition under Section 10-A of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana, alleging that the allotments were made by the Sarpanch illegally and that the same deserves to be cancelled.

No sooner the notices were received, the petitioners have rushed to this Court, inter-alia, alleging that the impugned proceedings are initiated against them are for an ulterior motive and at the instance of a private-builder, namely, Crown Technobuild Private Limited-respondent No.7.

Having heard learned counsel for the petitioners, we are of the considered view that the instant writ petition is

pre-mature at this stage. The petitioners would be well within their right to urge before the Assistant Collector, 1st Grade, Palwal that (i) there is valid resolution passed by the Gram Panchayat to allot them the subject plots; (ii) they were legally allotted such plots and are not unauthorized occupants; (iii) the site to carve-out the plots was approved by the Competent Authority, and (iv) that the B.D.P.O., Palwal is acting under the influence of respondent No.7-private-builder.

Needless to say that once the petitioners would raise the questions like illustrated above, the Assistant Collector, 1st Grade, Palwal, shall be obligated to answer the same in accordance with law and on consideration of the evidence which may be led by the parties.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

September 10, 2015
mohinder

[JASPAL SINGH]
JUDGE