

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.22646 of 2015

Date of Decision: October 30, 2015

Brahm Dutt and another

....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Sunil Kumar Sharma, Advocate, for the petitioners.

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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 are residents of village Kheri Kalan, Nehar Par, Tehsil and District Faridabad. They have taken multiple pleas to ventilate their grievances against the leasing out of land by Haryana Wakf Board in favour of respondent No.5. The land is statedly situated within the revenue estate of the petitioners' village. One of the grievance is that the 5th respondent has erected a four-wall and has in this process encroached upon the land of 'cremation ground'.

Since the petitioners have raised disputed question of facts with respect to demarcation of the land leased out to respondent No.5 or of the cremation ground, the appropriate remedy for them would be to approach the Assistant Collector 1st Grade-cum-Tehsildar, Faridabad to carry out the demarcation in accordance with the principles of natural justice. We thus dispose of this writ petition with a direction that if the petitioners approach the Prescribed Authority in this

regard, the said Authority shall, in the interest of justice, carry out a fresh demarcation of 'common purposes' like the cremation ground etc. and while doing so, no decision prejudicial to the interest of respondent No.5 shall be taken without hearing her.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 30, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE