

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.26356 of 2015
Date of Decision:-18.12.2015.

Bawa Masih and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

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?

Present: Mr. Jagdish Manchanda, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

Notice of motion to respondent Nos.1 to 3 only.

On our asking, Mr. Kuldeep Tiwari, learned Additional Advocate General, Haryana, accepts notice on their behalf.

Let two copies of the writ petition be supplied to the State counsel during the course of the day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

The petitioners claim that the Gram Panchayat of their village, namely, respondent No.4 has illegally proposed to carve out and allot plots measuring 100 square yards to the persons of Economically Weaker Sections, out of the land which is meant for allotment to the petitioners under "Grow More Food Scheme". It is claimed that the petitioners applied for the renewal/grant of lease for 99 years in respect of the subject land

under Rule 6A of the Punjab Gram Shamlat Land (Regulation) Rules, 1962, as applicable to Haryana (hereinafter referred to as '1962 Rules') and this Court in a bunch of writ petitions vide order dated 28.10.2014 passed in CWP No.4927 of 2010 **(Satpal Singh and another versus State of Haryana and others)** has directed the Competent Authority to take a final decision in respect of the above-mentioned claim of the petitioners and other similarly placed persons. It is thus, contended that without awaiting for the final outcome of the those directions, the Gram Panchayat has meanwhile proposed to allot 100 square yard plots thereby threatening dispossession of the petitioners.

Having heard learned counsel for the petitioners and considering the documents placed on record but without expressing any views on the merits of alleged entitlement to seek lease of the subject land, the instant writ petition is disposed of with a direction that let the claim of the petitioners in terms of the notification dated 13.12.2013 whereby Rule 6A was inserted in the 1962 Rules, be decided on merits within three months. Meanwhile, it is directed that the decision, if any, to carve-out plots etc. shall be subject to final outcome of the decision to be taken by the State Government.

Ordered accordingly.

Dasti.

**(SURYA KANT)
JUDGE**

**(P.B. BAJANTHRI)
JUDGE**

December 18, 2015.

sandeep sethi