

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.27292 of 2015

Date of Decision:-24.12.2015.

Chitranjan Singh and another

.....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. V.B. Aggarwal, Advocate for the petitioners.

SURYA KANT, J. (ORAL)

Notice of motion to respondent Nos.1, 2, 4 and 5 only at this stage.

On our asking, Ms.Kirti Singh, learned Deputy 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 day failing which this order shall be automatically recalled and the writ petition shall be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from respondent Nos.1, 2,

4 and 5 or to serve respondent No.3 at this stage as no order prejudicial to their interest is being passed.

The petitioners seek a restrain order against the Gram Panchayat of their village Golni, District Yamuna Nagar from changing the nature of land reserved for the common purpose of Charand. Reliance is placed on a decision of this Court dated 7.7.2011 in CWP No.13652 of 2009 (**Baljinder Singh and others versus The State of Haryana and others**) (Annexure P-2). The petitioners in this regard are said to have submitted objections under Section 5B (2) of the Punjab Village Common Lands (Regulation) Act, 1961 as applicable in the State of Haryana (Annexure P-5).

Having heard learned counsel for the parties and considering the nature of relief sought, we dispose of this writ petition without expressing any views on merits, with a direction to the Principal Secretary to the Government of Haryana, Department of Panchayats as well as the Deputy Commissioner, Yamuna Nagar, to consider and take an appropriate decision on the objections referred to above, said to have been submitted by the petitioners by passing a speaking order in accordance with law preferably within a period of **four months** from the date of receiving a certified copy of this order. It is further directed that till the utilization plan in terms of the above-cited decision is prepared by the Gram Panchayat with prior approval of the Deputy Commissioner, status-quo re: change of common

purpose of the land shall be maintained.

Ordered accordingly.

Dasti.

**(SURYA KANT)
JUDGE**

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

December 24, 2015.

sandeep sethi