

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

Civil Writ Petition No.4641 of 2015

Date of Decision: 28.04.2015

Parbal Singh

..... Petitioner

Vs.

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sanjay Verma, Advocate for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana
for respondent Nos.1 to 4.

Mr. Vinod Bhardwaj, Advocate for respondent No.5/G.P., Rasoolpur.

JASWANT SINGH, J. (Oral)

The grievance of the petitioner is that in spite of a consensus order dated 08.11.2011 (**Annexure P-2**), passed by this Court, whereby respondent No.5/Gram Panchayat, Rasoolpur had agreed to hand over the harvested produce to the petitioner/applicant after defraying the charges for harvesting the crop, no such crop has been handed over.

Upon notice, learned Counsel for respondent No.5/Gram Panchayat has put in appearance and states that the harvest crop qua only 2.5 acres was required to be handed over to the petitioner and was factually handed over on 14.11.2011 in the presence of the respectable of the Village and the Panches. In support, he has produced photocopy of the Resolution, passed by the Gram Panchayat.

Learned Counsel for the petitioner, on instructions from his client, seriously dispute the said fact.

In view of the dispute regarding fact, the present writ petition thus would not be maintainable.

It is also apparent that even the claim payable would be barred by the law of limitation.

Be that as it may, the present writ petition is disposed of as infructuous with liberty to the petitioner to seek his remedy in accordance with law subject, however, to the issue of limitation.

April 28, 2015
Gagan

(JASWANT SINGH)
JUDGE