

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5333 of 2015

Date of Decision:- 19.11.2015.

Chhavi Sharma and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE HARI PAL VERMA**

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. Rohtash Birtt, Advocate for
Mr. S.S. Dinarpur, Advocate for the
petitioners.

Ms. Kirti Singh, DAG, Haryana.

Mr. Parveen Sharma, Advocate for
respondent No.4-Gram Panchayat.

Mr. Neeraj Sheoran, Advocate for
Mr. Aman Pal, Advocate for
respondent Nos.32 to 69.

SURYA KANT, J. (ORAL)

In deference to order dated 20.7.2015, Ms. Kirti Singh, learned Deputy Advocate General, Haryana has taken us through the contents of letter dated 24.8.2015 addressed by Deputy Commissioner, Yamuna Nagar to Advocate General, Haryana which reads as follows:-

“In compliance of order dated 20-07-2015 (copy enclosed) passed by the Hon'ble High Court, it is clarified that the resolution dated 12-05-2012 passed by Gram Panchayat Radauri, Block Radaur agreeing to sell the land in dispute to the private respondents has never been approved by this office or by the Govt. You are requested to bring this fact to the notice of the Hon'ble High Court as this case is fixed for hearing for 25-08-2015. The Block Dev. & Panchayat Officer, Radaur has also been deputed to attend the court to assist you.”

In view of the fact that the resolution passed by the Gram Panchayat on 12.5.2012 to sell its land to the private respondents was never sent for approval to the Deputy Commissioner or the State Government and no such approval has been accorded to that resolution though it is mandatorily required under Rule 12(4) of the Punjab Village Common Lands (Regulation) Rules, 1964 as applicable to State of Haryana, we are of the considered view that the writ petition has been rendered infructuous. The resolution dated 12.5.2012 of the Gram Panchayat being null and void cannot be acted upon.

**(SURYA KANT)
JUDGE**

**(HARI PAL VERMA)
JUDGE**

November 19, 2015.

sandeep sethi