

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5795 of 2015

Date of Decision:- 28.09.2015.

Dharampal

.....Petitioner

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. Vikram Singh, Advocate for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

Mr. Arvind Singh, Advocate for
respondent No.4.

SURYA KANT, J. (ORAL)

1.) The petitioner was allotted a 100 square yard plot bearing No.16 on 27.5.1989 by the Gram Panchayat of his village. No construction appears to have been raised by him on that plot and the same is being used for storage of cow dung etc. Instead, the petitioner started raising construction unauthorizedly on plots No.22 and 23 which was immediately stopped by the Gram Panchayat. The aggrieved petitioner has approached this Court claiming that he may be permitted to retain the construction raised at the site in dispute in

lieu of plot No.16 which was earlier allotted to him.

2.) Learned counsel for the Gram Panchayat rightly points out that the petitioner in no circumstances is entitled to allotment of two plots and that he has no right whatsoever to raise construction on plot Nos.22 and 23.

3.) Faced with this, Mr. Vikram Singh, learned counsel submits that the petitioner is willing to surrender the vacant possession of plot No.22 and he may be allowed to retain plot No.23 in lieu of plot No.16. In other words, the petitioner shall have no claim on plot No.22 and 16, if plot No.23 is given to him.

4.) The aforesaid controversy, in our considered view does not require any judicial adjudication and can be resolved by the District Administration in consultation with the Gram Panchayat. We, thus, dispose of this writ petition with a direction to the Deputy Commissioner, Karnal to intervene and get the issue resolved as early as possible but not later than three months from today. Till then no further construction shall be raised by the petitioners and the existing walls may also not be demolished.

**(SURYA KANT)
JUDGE**

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

September 28, 2015.

sandeep sethi