

CWP No. 9029 of 2015

-.1:-

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

CWP No. 9029 of 2015

Date of decision: 08.05.2015

Rattan Lal and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. Satish Chaudhary, Advocate for
for the petitioners.

RAJIVE BHALLA, J (ORAL).

The petitioners pray for issuance of a writ of certiorari for quashing the sale/gift deeds allegedly executed by the Gram Panchayat allotting 100 Sq. yards plots, under the Mahatma Gandhi Rural Gramin Basti Scheme to respondents No. 6 to 15.

Counsel for petitioners submits that the Gram Panchayat has passed a resolution allotting 100 Sq. yards residential plots out of 'Shamilat land'. The allotment is illegal as plots have been allotted to persons who already own residential property in the village.

Counsel for petitioners prays that the authorities may be directed to investigate the matter or decide the representations filed by the petitioners.

We have heard the counsel for petitioners and perused the

paper book.

Section 10-A of the Punjab Village Common Land (Regulations) Act, 1961 (hereinafter to be called as 'the Act'), as applicable to the State of Haryana, provides that notwithstanding anything contained in the Act or in any law for the time being in force, the Assistant Collector of the 1st Grade, may verify the legality or propriety of any lease, sale, gift or exchange of land, that vests in a Gram Panchayat. The petitioners would, therefore, have to seek remedy, under Section 10-A of the Act.

The writ petition is, consequently, disposed of by granting liberty to petitioners to file an application before the Assistant Collector of the 1st Grade, Yamuna-Nagar, furnishing complete details of the allottees and reasons for their disqualifications. The Assistant Collector of the 1st Grade, shall if such an application is filed, hold an enquiry, under Section 10-A of the Act and pass appropriate orders in accordance with law, within 4 months of the filing of such an application.

(RAJIVE BHALLA)
JUDGE

(AMOL RATTAN SINGH)
JUDGE

08.05.2015
amit rana