

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.280 of 2014 (O&M)
Date of Decision:- 07.05.2015.

Ram Kumar and others

.....Appellants

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: Ms. Anita Sharma, Advocate for the appellants.

Mr. Deepak Manchanda, Additional A.G. Haryana.

SURYA KANT, J. (ORAL)

1.) As per office report, respondent Nos.3, 4 to 8, 10 to 14 have been served through their family members or official channel. They shall be, thus, deemed to have been served. Respondent No.9 is reported to have died.

2.) Learned counsel for the appellant states that respondent No.9 was only a proforma respondent and no relief against her has been sought. As prayed by learned counsel for the appellants, respondent No.9 is ordered to be deleted from the array of

respondents. In this manner, service is complete.

3.) The solitary question of law raised in this appeal pertains to the validity and sanctity of the Civil Court decree dated 08.12.1969 suffered by the big land owner, admittedly before the appointed day, namely, 24.01.1971 prescribed under the Haryana Ceiling on Land Holdings Act, 1972.

4.) This question could not be considered by the learned Single Judge as there were unfortunately three writ petitions taken together and have been disposed of by a common order. Since the above stated question did not arise for consideration in the connected cases and the issue raised hereinabove does require adjudication, we allow this appeal; set aside the order under appeal dated 09.08.2012 to the extent of dismissal of the writ petition filed by the appellants and remit the case to the learned Single Judge with a request to decide the same on merits.

5.) The parties are directed to appear before the learned Single Judge on 07.09.2015.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

May 07, 2015.

sandeep sethi