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

CWP No.11295 of 2016

Date of decision: June 01, 2016

Sanjay

.....Petitioner

Versus

Haryana State Pollution Control Board, Sector-6,
Panchkula and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

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?

SURYA KANT, J. (Oral)

The question that arises for consideration in the instant case is whether the land said to have been purchased by the proprietor of respondent No.4, in respect whereof, the State Pollution Control Board has accorded consent to set-up a Stone Crusher, is *Shamlat Deh* and vests in Gram Panchayat or it is a private property of respondent No.4 or its vendors?

Since such an issue can be effectively adjudicated by the Court of Collector under the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana, and even a resident of the village has *locus-standi* to initiate such proceedings, we relegate the petitioner to the above stated remedy. It is directed

that if the petitioner files such a petition, the Assistant Collector Ist Grade/Collector shall make an endeavour to decide the same in accordance with law and the principles of natural justice as early as possible and preferably within six months from the date of its filing.

Disposed of.

[SURYA KANT]
JUDGE

[A.B. CHAUDHARI]
JUDGE

June 01, 2016

mahavir