

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

CWP No.1580 of 2016 (O&M)

Date of Decision: 25.01.2016

Mam Chand & Ors.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: Hon'ble Mr.Justice Surya Kant

Hon'ble Mr.Justice Harinder Singh Sidhu

Present: Mr. RS Mamli, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners are residents of village Chaneti, Tehsil Jagadhri, District Yamuna Nagar. The revenue estate of their village has now been included within Municipal Corporation, Jagadhri. The petitioners have questioned the sale of Gram Panchayat land of their village by the Municipal Corporation to HVBPN for the construction of Power House. They claim that the above-stated land actually belongs to the proprietors of the village and only the management and utilization of it was with the Gram Panchayat. As such, neither the Gram Panchayat nor the Municipal Corporation are its owners and the sale of subject- land thus is totally illegal.

(2) In our considered view, the dispute whether the subject land has vested in the Gram Panchayat or it belongs to the proprietors can be adjudicated by the Collector under Section 13-A of the Punjab Village Common Land (Regulations) Act, 1961 for

which we relegate the petitioners to approach the said forum. However, if the petitioners' grievance is that the Gram Panchayat land of their village could not be transferred to the Municipal Corporation, as prayed for, the writ petition qua this issue is dismissed as withdrawn with liberty to file a fresh writ petition as and when occasion arises.

(3) Ordered accordingly.

(Surya Kant)
Judge

25.01.2016
vishal shonkar

(Harinder Singh Sidhu)
Judge