

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.3927 of 2016
Date of Decision: February 27, 2016

Hari Chand and others

....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Vikram Singh Narwal, Advocate, for the petitioners

:-

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 petitioners are sons of Bega Ram and are residents of village Bigher, Tehsil and District Fatehabad. They claim that the land owned by their father comprising Khasra No.175//22 was originally exchanged with the Gram Panchayat land comprising Khasra No.206//1 on 13.03.1980 vide resolution (P-1). The Gram Panchayat passed yet another resolution on 30.11.2006. Thereafter, the B.D.P.O. Submitted the inspection report after visiting the site but no decision by the Competent Authority, namely, the State Government was taken. The Gram Panchayat has again reiterated vide third resolution No.2 dated 09.02.2014 that exchange of land is in the interest of the village community. As the formal sanction from the Competent Authority is still awaited, the petitioners have filed the instant writ petition after serving the

respondents with a legal notice dated 05.01.2016 (P-6). It is in this backdrop that a direction to accord sanction is sought.

As the facts would speak for themselves, the petitioners seek a direction to the State Government/ Competent Authority to take a final decision in the matter, for the Gram Panchayat land cannot be exchanged without the approval of the Prescribed Authority. We thus dispose of this writ petition without expressing any views on merits, with a direction to the Deputy Commissioner, Fatehabad to take-up the matter with the Competent Authority and ensure that an appropriate decision is taken within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

February 27, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE