

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5983 of 2015
Date of Decision:-28.3.2016.

Mahavir Parshad and another

.....Petitioners

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: Mr. R.S. Sangwan, Advocate for the petitioners.

Ms. Kirti Singh, DAG, Haryana.

Mr. C.B. Kaushik, Advocate for respondent No.4.

Mr. Chanakya Pandit, Advocate for
respondent Nos.12 and 13.

SURYA KANT, J. (ORAL)

1.) The petitioners approached the Director Land Holdings-cum-Commissioner Gurgaon Division by way of a petition under Section 42 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, for providing them passage to their agricultural land. They also offered land in lieu of the passage to be provided to them. Their petition has been dismissed

for non-joinder of necessary parties as one of the respondents took an objection that there are six co-owners who have not been impleaded as party-respondents. The petitioners, on the other hand, maintain that all these persons who likely to be affected were impleaded as party respondents.

2.) Heard learned counsel for the parties. In our considered view, it is not necessary to go into the rival contentions for the reason that the impugned order does not preclude the petitioners from filing a fresh petition for the same relief by impleading all those persons as party respondents who are, directly or indirectly, likely to be affected. If any such petition is filed, we direct the Prescribed Authority to consider and decide the same on merits in accordance with law.

3.) The Prescribed Authority shall make an endeavour to decide such petition within six months from the date of its filing.

4.) Disposed of.

(SURYA KANT)
JUDGE

(P.B. BAJANTHRI)
JUDGE

March 28, 2016.

sandeep sethi