

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

CWP No.5480 of 2016  
Date of Decision:-21.3.2016.

Satpal Singh and others

.....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. Tribhuvan Dahiya, Advocate for  
Mr. Anil Ghanghas, Advocate for the petitioners.

Mr. Gaurav Goel, Assistant A.G. Haryana for  
official respondents.

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**SURYA KANT, J. (ORAL)**

1.) Notice of motion. On our asking, Mr. Gaurav Goel, Assistant Advocate General, Haryana accepts notice on behalf of the respondents. Let two copies of the writ petition be supplied to the learned State counsel during the course of the day, failing which the writ petition shall stand dismissed for want of prosecution.

2.) Having regard to the fact that the respondents have already taken their categorical stand before this Court in **COCF No.248 of 2015** (P-1) by way of an affidavit filed by the Director

General of Consolidation of Holdings, Haryana, it is not necessary to call for a separate reply from them.

3.) The petitioners are Sarpanch, ex-Sarpanch, Numberdar and other prominent residents of village Kakroli Huttu, Tehsil Dadri, District Bhiwani. They seek a *mandamus* to direct the respondent-Authorities of the Consolidation Department to complete the consolidation proceedings of the entire land-holding of their village and deliver possession to the proprietors as per their shares, in a time bound manner.

4.) Suffice to observe that earlier the Gram Panchayat of Village Kakroli Huttu had approached this Court through **CWP No.2384 of 2011** wherein also time bound directions were issued for completion of the consolidation proceedings as there was noticeable delay on the part of the Authorities. **COCN No.248 of 2015** was filed by the Gram Panchayat in which the then Director General, Consolidation of Holdings filed her affidavit dated 23.7.2015 (P-1). It was explained in the affidavit that there are following six mandatory stages required to be observed for completion of consolidation proceedings:-

(i)Preparation of preliminary records.

(ii)Preparation of Draft scheme and publication under section 19 of the consolidation Act, 1948.

(iii)Repartition of Holdings under section 21 of the Consolidation Act.

(iv) Transfer of possessions under section 23 of the Act.

(v) Final Attestation.

(vi) Consignment of Records.

5.) In para 4 of the affidavit, it was further explained that the transfer of possession of plots is going on and the same shall be completed in respect of the remaining land measuring about 250 acres in the month of July, 2015 provided that the right-holders extend their cooperation and the weather conditions are also favourable. It was further assured that remaining two stages of the consolidation proceedings, namely, final attestation and consignment of the records shall be completed upto June, 2016.

6.) Yet another matter was brought before this Court in **CWP No.1690 of 2016** **(Manphool Singh Vs. Director General Consolidation, Haryana and others)** which was disposed of on 28.1.2016 with the following directions:-

*“5.) Suffice to observe that if the consolidation proceedings qua the petitioner's land-holding are complete and ripe for delivery of physical possession to him and if there is no other legal impediment against such delivery, respondent Nos.2 and 3 are directed to adopt lawful recourse and ensure that physical possession of their respective land-holdings is delivered to the petitioner as well as the private respondents simultaneously. However, if the private respondents have sown crop on the land which has now fallen in the petitioner's holding, let*

*they be allowed to harvest the crop and thereafter only the physical possession be delivered.*

7.) Learned counsel for the petitioners points out that out of the above reproduced mandatory stages only three stages have been completed and the fourth stage, namely, “transfer of possessions under section 23 of the Act” which was to be completed by June, 2015, has not been completed so far.

8.) There is, thus, obvious delay on the part of the Authorities who have failed to honour their undertaking given before this Court in the above stated contempt proceedings. Since we have already permitted the Authorities to deliver physical possession after the current wheat crop is harvested for which now hardly 15 – 20 days are left, we reiterate those very directions in respect of the entire area under the consolidation proceedings and dispose of the writ petition in the above reproduced terms.

**(SURYA KANT)**  
**JUDGE**

**(P.B. BAJANTHRI)**  
**JUDGE**

**March 21, 2016.**

*sandeep sethi*