

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.7859 of 2016
Date of Decision: April 28, 2016

Vikram Singh and anotherPetitioner

versus

State of Haryana and othersRespondents

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

Present: Mr.Yogesh Chaudhary, Advocate, for the petitioners.

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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 residents of village Mathana, Tehsil Thanesar, District Kurukshetra. The Gram Panchayat of their village has resolved to lease out the land measuring 31 bighas 4 biswas to the Kendriya Vidayala Sangathan for a period of 33 years for the purpose of construction of a Kendriya Vidayala in their village. The State Government has also approved the resolution of the Gram Panchayat subject to the condition that the land should not be Gair Mumkin Johar or Charand.

It does appear that the Panchayat land is not a Johar or Charand and it is cultivable. Be that as it may, the petitioners have not disputed that the land has been leased out for the benefit of the entire village community. Their grievance appears to be that the leased-out land is in their possession under the annual lease-agreement and their lease

period would expire in July, 2016.

We have heard learned counsel for the petitioners at a considerable length.

Since the purpose of leasing out the Gram Panchayat land to Kendriya Vidyalaya Sangathan is laudable and purely in the interest of the village community, no case to interfere with the Gram Panchayat resolution is made out. However, if the subject-land is already leased out to the petitioners on annual lease basis and if they have sown crops, we direct the Deputy Commissioner, Kurukshetra and the Gram Panchayat of village Mathana to ascertain the correct facts and if it does not cause any impediment in commencement of construction work of the School, the petitioners may be allowed to harvest the Rabi crop.

The writ petition stands disposed of accordingly.

Dasti.

[SURYA KANT]
JUDGE

April 28, 2016
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[A.B.CHAUDHARI]
JUDGE