

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.9320 of 2016

Date of Decision: May 12, 2016

Hardeep Singh and othersPetitioners

versus

State of Haryana and othersRespondents

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

Present: Mr.V.B.Aggarwal, Advocate, for the petitioners.
Ms.Kirti Singh, Deputy Advocate General, Haryana.

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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)

Notice of motion to respondent No.1, 2, 4 & 5 only
at this stage.

On our asking, Ms.Kirti Singh, learned Deputy
Advocate General, Haryana, accepts notice on their behalf.

Let four copies of the writ petition be handed over
to learned State counsel during the course of day failing
which this order shall be automatically recalled and the writ
petition shall be deemed to have been dismissed for non-
prosecution.

In view of the nature of order which we propose to
pass, there is no necessity to seek counter-reply from
respondent Nos.1, 2, 4 & 5 nor respondent No.3 is required
to be served at this stage as no order on merits prejudicial to
its interest is being passed.

The petitioners seek to restrain the Gram Panchayat of their village Mohanpur, Tehsil Pehowa, District Kurukshetra, from changing the nature of land reserved for the common purpose of 'charand'. Reliance is placed on a decision of this Court dated 07.07.2011 passed in CWP No.13652 of 2009 (Baljinder Singh and others versus The State of Haryana and others). The petitioners in this regard are said to have submitted their objections dated 23.03.2015 (P-4) under Section 5B(2) of the Punjab Village Common Lands (Regulation) Act, 1961, as applicable to the State of Haryana.

Having heard learned counsel for the parties and considering the nature of relief sought, however, without expressing any views on merits, we dispose of this writ petition with a direction to the Deputy Commissioner, Kurukshetra, to consider and take an appropriate decision on the aforesaid objections said to have been submitted by the petitioners, by passing a speaking order in accordance with law within a period of four months from the date of receiving a certified copy of this order.

It is further directed that meanwhile utilization of the Gram Panchayat land for any other common purposes, shall be subject to the final decision to be taken in compliance of the directions issued herein-above.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 12, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE