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

- 1. CRM-M-16067-2017**
Date of decision : 02.06.2017

Ashok Kumar Petitioner

VERSUS

State of Haryana Respondent

- 2. CRM-M-16209-2017**

Krishan Lal Petitioner

VERSUS

State of Haryana and another Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. R.K. Saini, Advocate
for the petitioner (in CRM-M-16067-2017).

Mr. J.P. Sharma, Advocate,
for the petitioner (in CRM-M-16209-2017).

Mr. Surender Singh, AAG, Haryana.

Mr. Sunil Kumar, Advocate
for the complainant.

AMOL RATTAN SINGH, J.(Oral)

Pursuant to the orders dated 12.05.2017 and 26.05.2017, an affidavit of Sh. Vivek Chaudhary, HPS, Deputy Superintendent of Police, City Karnal, has been filed in Court by the learned State counsel, stating therein that the record of the Municipal Committee, Nilokheri, has been sealed on 27.05.2017, i.e. 15 days after the direction was given by this Court on 12.05.2017.

However, it is further stated that as regards the plot in question, i.e. plot No.14 situated in the 'Detention Tank Area', Nilokheri, there is no entry in the Municipal Committee record pertaining to the said plot.

Sh. Balbir Singh, Secretary of the Municipal Committee, Nilokheri, is also present in Court, pursuant to the earlier orders, and on a specific query he has stated that the plot in question not having been constructed upon, the Municipal Committee does not have any record of it, because no property tax is payable in respect of plots lying vacant.

On specific query, he has stated that the plot in question does not belong to the Municipal Committee and there is no encroachment as regards the said plot.

This Court had directed sealing of the record in view of the contention made by the learned counsel for the petitioner in CRM-M-16209 of 2017, with regard to various sales earlier made pertaining to same plot, with a doubt therefore arising as to whether the ownership of the plot is actually of those people who are buying and selling it, or it is Government or municipal land that was made subject matter of various sale deeds.

That part, (at least as per the statement of the Secretary, Municipal Committee, and the affidavit of the DSP, City Karnal), having been cleared, learned counsel for the petitioners as well as the complainant further have submitted that the matter has been compromised between the parties.

In view of the above, without making any further comment on the actual ownership or possession of the plot in question, which is obviously not subject matter of these proceedings, these petitions are

disposed of with the order dated 12.05.2017, granting interim anticipatory bail to the petitioners, made absolute on the same terms and conditions.

The record of the Municipal Committee, Nilokheri, as was ordered to be sealed vide order dated 26.05.2017, may now be de-sealed, it having stated by the DSP, City Karnal and the Secretary of the Municipal Committee that the land in question does not belong to the municipality. The rule issued, to the DSP and the Secretary, stands discharged.

(AMOL RATTAN SINGH)
JUDGE

June 02, 2017
adhikari/rd

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes / No