

**IOIN-CWP-3629-1994 in
CWP-3629-1994**

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

**IOIN-CWP-3629-1994 in
CWP-3629-1994**

Date of Decision: September 06, 2017

Roshan Lal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDHIR MITTAL**

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Parminder Singh, Advocate
for the petitioners.

Mr.Vishal Garg, Addl.AG, Haryana.

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SURYA KANT, J.

Learned State counsel submits that no recovery in terms of the order dated 07.01.2016 could be effected from the writ petitioners beyond Rs.40,000/- for the reason that they do not own any immovable property in the village and have a very small residential house which is the only dwelling unit owned by petitioner No.1.

Counsel for the petitioners submits that petitioner Nos. 2 and 3 (Kala Ram and Krishan) have already passed away and only Roshan Lal- petitioner No.1 survives, who does not own any immovable property in the village.

It appears that petitioner No.1 is living below poverty line. In view of the admitted stand taken before us, we modify the order dated 07.01.2016 and delete the direction whereby the district Administration was directed to assist the Gram Panchayat to recover the mesne profits as arrears of land revenue. The amount already recovered, however, shall be appropriated by the Gram Panchayat.

**(SURYA KANT)
JUDGE**

September 06, 2017
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**(SUDHIR MITTAL)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |