

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.15804 of 2017.

Date of Decision: July 21, 2017

Manga Ram and others

.....Petitioners

versus

The Assistant Collector, 1st Grade-cum-District Development and Panchayat
Officer and another

...Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Mahavir Sandhu, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners have laid challenge to the resolution dated 20.03.2017 said to have been passed by the Gram Panchayat of their village. Vide this resolution, the Gram Panchayat has settled the rate of royalty payable by the Mining Contractor to whom the mining rights have been leased out by the State Government for a big chunk of land which includes the land in dispute. It is an admitted fact that eviction petition as well as petition for declaration of title are pending between the parties. The petitioners, therefore, have got an independent remedy to move stay application before the Court in which their title suit is pending. Besides this, the resolution passed by the Gram Panchayat can be impugned before the S.D.O.(Civil) and other authorities under the Haryana Panchayati Raj Act, 1994.

We cannot entertain a writ petition under Article 226 of the Constitution against the resolution of a Gram Panchayat. The petitioners are thus relegated to the above-stated alternative remedies. If any stay application is moved by the petitioners, the Court/Authority concerned is

directed to decide the same within one month from the date of its filing.

The writ petition stands disposed of accordingly.

[SURYA KANT]
JUDGE

July 21, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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