

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.20583 of 2016

Date of Decision: January 09, 2017

Gram Panchayat Village Dharamgarh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Ved Parkash, Advocate, for the petitioner.

Mr.R.D.Sharma, 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.

On our asking, Mr.R.D.Sharma, learned Deputy Advocate General, Haryana, accepts notice on behalf of the respondents.

Let three copies of the writ petition be supplied 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, it is not necessary to seek any counter-reply from the respondents at this stage.

The petitioner is Gram Panchayat of village Dharamgarh, Tehsil Safidon, District Jind. The case of the Gram Panchayat is that it owns more than 24 acres land out of which 04 acres was utilized by carving out 100 square yard plots. The said action of the Gram Panchayat is in

dispute and the matter is sub-judice before this Court in CWP No.18747 of 2012 which has already been heard and the order is reserved. In addition, the Gram Panchayat has 20 acres more land which is totally undisputed. The grievance in the instant writ petition is that no permission is being accorded by the authorities to lease out that land though there is no valid reason to with-hold such permission.

Prima-facie, there is a merit in the Gram Panchayat's contention. Nevertheless, we do not express any final view on the merits of the allegations and rather deem it appropriate to dispose of this writ petition with a direction to the Deputy Commissioner, Jind to immediately ascertain the correct facts and if it is found that there is no legal impediment against leasing out 20 acres or so land of the Gram Panchayat, let necessary permission be accorded within a period of two weeks from the date of receiving a certified copy of this order.

Ordered accordingly.

Let a copy of this order be given dasti to Mr.R.D.Sharma, learned Deputy Advocate General, Haryana, for information and necessary compliance.

[SURYA KANT]
JUDGE

January 09, 2017
mohinder

[SUDIP AHLUWALIA]
JUDGE

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