

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19799 of 2017.

Date of Decision: September 01, 2017

Shamsher Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Ms.Ramandeep Kaur, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner is a resident of village Raja Kheri, Tehsil and District Panipat. His grievance is that the Gram Panchayat of his village is hellbent to carve-out residential plots on the land which is reserved as 'Charand'. Such plots are sought to be carved out for allotment to the persons living below poverty line.

This Court in CWP No.13652 of 2009 (Baljinder Singh and others versus The State of Haryana and others), decided on 07.07.2011, has held that the land which is reserved for Gau Charand (Pasture) during the consolidation cannot be diverted for a different purpose unless the Gram Panchayat prepares a utilization plan and the same is duly approved by the Deputy Commissioner. In the instant case also, it appears that no utilization plan has been prepared by the Gram Panchayat before taking its decision to utilize the land for carving out plots.

In these circumstances, we dispose of this writ petition with a direction to the Deputy Commissioner and DDPO, Panipat to verify the petitioner's assertion and if it is found correct, let necessary instructions be

Panipat to prepare the utilization plan before it utilizes the land reserved for Gau Charand, for the purpose of carving out plots. The district authorities shall take necessary action within a period of four weeks from the date of receiving a certified copy of this order.

Till such time, *status-quo* re: nature of land be maintained.

[SURYA KANT]
JUDGE

September 01, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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