

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.21479 of 2017.

Date of Decision: September 20, 2017

Jagan Dev and another

.....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Anirudh Singh Shera, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

Learned counsel states that the petitioners are ready and willing to pay the market price of Gram Panchayat's land where they have constructed their residential houses, as per Rule 12(4) of the Punjab Village Common Lands (Regulation) Rules, 1964, as applicable to the State of Haryana. He further states that given one week's time, the petitioners will represent the Gram Panchayat with a request to pass a resolution to this effect. It is further stated that the petitioners fulfill all the eligibility conditions prescribed in Rule 12(4) of the 1964 Rules (ibid).

In view of the above mentioned stand taken on behalf of the writ-petitioners, the instant writ petition is disposed of with liberty to the petitioners to approach the Gram Panchayat with a request to pass a resolution for sale of land in dispute to them on payment of current market price. The petitioners shall make such a request within one week and the Gram Panchayat through its Sarpanch shall take its decision within two weeks thereafter. If the Gram Panchayat passes a resolution in favour of the petitioners, the Block Development and Panchayat Officer, Block-I, Ambala

is directed to forward such resolution to the Deputy Commissioner, Ambala for necessary approval. Such request of the petitioners shall be considered in the light of the observations made by this Court in the order dated 17.09.2015 passed in CWP No.13334 of 2014 (Ram Chander versus Commissioner, Rohtak Division, Rohtak and others) (P-8).

With a view to enable the petitioners to approach the Gram Panchayat or to enable the latter to take an appropriate decision, it is directed that *status-quo* re: demolition of the houses be maintained for a period of one month from today.

Ordered accordingly.

[SURYA KANT]
JUDGE

September 20, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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