

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23649 of 2017.

Date of Decision: October 13, 2017

Satya and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Mohit Jaggi, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners appears to be in unauthorized possession of Gram Panchayat land where a residential house has been constructed since decades. The petitioners instead of disputing the ownership of Gram Panchayat, submit that they are willing to purchase the subject land in accordance with Rule-4 of the Punjab Village Common Lands (Regulation) Rules, 1964 on payment of the allotment price as may be determined by the State Government.

It is not in dispute that for the purchase of subject-land, the petitioners have to firstly approach the Gram Panchayat who may pass the resolution and forward the matter to the State Government for determination of market value of the land.

In this view of the matter, we dispose of this writ petition relegating the petitioners to the above-stated remedy. Let the petitioners approach the Gram Panchayat of the village within two weeks in this regard. If the Gram Panchayat resolves to sell the land under occupation of the petitioners, a resolution to this effect may be passed within a period of one

month and such proposal then be forwarded to the Competent Authority

who shall take an appropriate decision in accordance with law, within a period of three months.

This order, however, shall not be construed to mean as if we have directed the Gram Panchayat or the State Government to sell the subject land in favour of the petitioners. Needless to say that an appropriate decision in this regard shall be taken by the Gram Panchayat and the State Government at their own in accordance with law.

Till then, *status-quo* re: demolition or further construction at the site shall be maintained.

Dasti.

[SURYA KANT]
JUDGE

October 13, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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