

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.23841 of 2017.

Date of Decision: October 23, 2017

Mahavir Parshad Nimdiya

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Sandeep Kotla, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner's case is that land of the Gram Panchayat of village Gangwa, Tehsil and District Hisar, measuring 16 kanal fully described in para No.3 of the writ petition is abutting the Rajgarh Road. The said land used to be auctioned on yearly basis amongst the members of the Scheduled Caste Community. It was statedly leased out to respondent No.6 in the year 2013 but instead of using it for agricultural purposes, respondent No.6 wanted to construct a 'Dharmshala' over the land whereupon the Gram Panchayat cancelled the lease and as such respondent No.6 became 'unauthorized occupant' over the Gram Panchayat land. It is alleged that the Gram Panchayat is not taking any action either to get the land vacated or to further lease out it to the Scheduled Caste Community. The petitioner is said to have made a complaint on 18.09.2014 (P-1) but finding no response thereto, the instant writ petition has been filed.

Having heard learned counsel for the petitioner but without expressing any views on merits of the allegations, the writ petition is disposed of with a direction to the Deputy Commissioner, Hisar and the

District Development and Panchayat Officer, Hisar to ascertain the correct facts and take necessary action including instructions to the Gram Panchayat of village Gangwa, if need be, to ensure that the Gram Panchayat land is not mis-used by anyone and it is put to auction in a transparent manner, if need be. The needful shall be done within a period of two months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

October 23, 2017
mohinder

[SUDHIR MITTAL]
JUDGE

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