

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4886 of 2017 (O&M)
Date of decision: 31.5.2017

Sanjeev Kumar and others

.. Petitioners

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. H. S. Dhillon, Advocate for the petitioners.
Mr. Ankur Mittal, Addl. Advocate General, Haryana.
Mr. D. S. Nain, Advocate for respondent No. 5.

Rajesh Bindal J.

Written statement filed by respondent No. 3 on behalf of respondents No. 1 to 4 in court is taken on record.

On 10.3.2017, this court passed the following order:

“Learned counsel for the petitioners submitted that in terms of the order passed by this Court on 10.5.2013 in CWP No. 14903 of 2012, respondents No. 6 to 16 were permitted to purchase the land as per Collector's rate. They were to pay amount along with interest @ 6% per annum, on failure the

Gram Panchayat was to take over the possession of the land.

The order was passed about four years back. However, only a sum of ₹ 15,93,000/- have been paid by the respondents No. 6 to 16. An amount of ₹ 55,47,000/- alongwith interest is still due.

Notice of motion to respondents No. 1 to 5 only, at this stage, for 18.4.2017.

Mr. Ankur Mittal, Additional Advocate General, Haryana, who is present in court, accepts notice on behalf of respondents No. 1 to 4.

Service on respondent No. 5 be effected on filing of process fee.

Process dasti only.”

The present petition has been filed by the residents of the village as the Gram Panchayat had failed to take action against respondents No. 6 to 16, who had failed to deposit the amount as determined by this court vide order dated 10.5.2013, passed in CWP No. 14903 of 2012—Ranjit Singh and others v. State of Haryana and others. The amount was to be paid along with interest within a period of three months. On failure, the Gram Panchayat was entitled to recover possession of the land in dispute in accordance with law. As stated by the petitioners, only a sum of ₹ 15,93,000/- was paid by respondents No. 6 to 16 and an amount of ₹ 55,47,000/- along with interest was still due.

Despite the fact that the period to deposit the amount expired in August, 2013 and the amount had not been deposited by respondents No. 6 to 16, but still no action was taken either by the Gram Panchayat or any of

the other superior officer. Concession for purchase of land was given to respondents No. 6 to 16 for the reason that they claimed that they had constructed their houses on that land. The Gram Panchayat filed application for issuance of warrants of possession only on 24.5.2017 after receipt of notice in the present petition. As the private respondents have failed to adhere to the terms settled by this court vide order dated 10.5.2013 passed in Ranjit Singh and others' case (supra), the authorities to take appropriate action in terms of the aforesaid order, may be by taking coercive measures.

The petition stands disposed of accordingly.

(Rajesh Bindal)
Judge

(Sneh Prashar)
Judge

31.5.2017
mk

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No