

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 4063 of 2018

Date of Decision: 08.08.2018

Gram Panchayat Village Nank Pura Sandhola

.....Petitioner

Vs.

Kulbir Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vikram Singh, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to notice issued vide the order dated 02.07.2018, Mr. Maninder Singh Saini, Advocate, has appeared on behalf of respondents no. 1 and 2 and has filed his power of attorney in Court today, which is taken on record. Mr. Pawan Jhanda, AAG, Haryana, has appeared on behalf of respondents no. 3 to 8.

Counsel for respondents no. 1 and 2 has produced in Court today a copy of an order of the learned appellate Court, i.e. the Additional District Judge, Kurukshetra, dated 25.07.2018, which states as follows:-

“Arguments not advanced.

Adjournment is sought by learned counsel for the parties.

Head. Case is adjourned to 29.08.2018 for arguments on main civil miscellaneous appeal.

Date is given on choice of learned counsel for respondent no. 6.

LCR be also summoned one day prior from the date fixed.

Till then status quo already granted with regard to raise construction over suit property is extended.”

That being so and the contention of Mr. Virkam Singh, learned counsel for the petitioner, being that the Gram Panchayat had duly passed a resolution to construct a Community Centre rather than a school on the land in question, with that resolution having been duly approved as part of the utilization plan, as per Rule 3 of the Punjab Village Common Lands (Regulations) Rules, 1964, naturally the learned Court seized of the matter, i.e. the Additional District Judge, would go into that aspect and pass appropriate orders.

Mr. Vikram Singh further submits the said Court should decide the miscellaneous appeal on the same date. That is not a contention that can be accepted, though this petition is disposed of with a direction that the said Court would decide the matter very expeditiously, in view of the fact that it is Gram Panchayat land on which either a school or a community centre is to be constructed.

August 08, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.