

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10076 of 2016 (O&M)

Date of Decision : 31.07.2018

Gram Panchayat Abhipur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Munish Jolly, Advocate
for the applicant/petitioner.

Mr.Shireesh Gupta, Sr.DAG, Punjab.

Mr.Vikas Bahl, Sr.Advocate with
Mr.Parvinder Singh, Advocate
for respondent No.5.

....

MAHESH GROVER, J. (Oral)

Learned counsel for the petitioner states that he wishes to withdraw the main writ petition. He has also moved an application for preponing the proceedings from 23.08.2018 to today. He further prays that he be permitted to take recourse to alternate remedies available to him.

Learned counsel for the respondent(s) state that they have no objection if the petition is withdrawn with liberty as prayed for but the applicant/petitioner has made a reference to the land concededly being *jumla mushtarka Malkan*, which is an issue of debate.

After hearing the learned counsel for the parties and noticing that the applicant/petitioner wishes to withdraw the petition to which the respondent(s) have no objection, we take the petition on

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board by preponing it from 23.08.2018 and permit the petitioner to withdraw the proceedings with liberty to take recourse to alternate remedies available to him. We make it clear that nothing stated by the applicant/petitioner in his application on merits of the controversy shall be construed to be an acceptance of fact by this Court as this is an issue which has to be settled in the appropriate forum.

Consequently, CM-10679-2018 and CM-10680-2018 are allowed and CWP-10076-2016 is dismissed as withdrawn with the liberty aforesaid granted.

(MAHESH GROVER)
JUDGE

31.07.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

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