

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

CWP No.14784 of 2015 (O&M)
Date of decision: 18.05.2018

Satbir Singh & ors.

... Petitioners

Versus

State of Haryana & ors.

... Respondents

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Jagdish Manchanda, Advocate
for the petitioners.

Ms. Kirti Singh, DAG, Haryana.

Mr. Rajesh Bansal, Advocate
for respondent No.5.

Mr. Rajender Kumar, Advocate
for respondent No.6.

Mahesh Grover, J.(Oral)

The grievance of the petitioners is that despite allotment being made to them under the Scheme intended for weaker section possession of the plot has not been given to them.

We notice from the record that there is some litigation qua portion of land measuring 1 acre which is in the possession of respondents No.5 and 6 and a civil suit has been decided wherein it has been directed that the said respondents be not dispossessed except in due course of law. Pursuant to that, the gram panchayat has initiated the proceedings under Section 7(2) of Punjab Village Common Land (Regulation) Act, 1961 (hereinafter referred as 'the Act'), which are stayed.

The Gram Panchayat have filed its reply stating that except for the disputed land which is in possession of respondents No.5 and 6 measuring about 1 acre, the remaining land is free and about 53 plots can be carved out from it . They further stated that they are willing to carry out that exercise and consequential allotment also.

Having regard to the aforesaid stand of respondent No.4, we direct that 53 plots as submitted by them be carved out from the area which is free from litigation forthwith and possession be given in accordance with law. In so far as the possession of respondents No.5 and 6 is concerned, we direct the competent authority before whom proceedings under Section 7(2) of the Act are pending to decide the same expeditiously preferably within a period of three months from the date of receipt of certified copy of this order.

The present petition stands disposed of.

(MAHESH GROVER)
JUDGE

18.05.2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No