

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

**C.W.P No. 24475 of 2016 (O&M)
Date of Decision:- 21.03.2018**

Mohan Singh & Ors.

....Petitioners

Versus

State of Haryana & Ors.

...Respondents

**CORAM: HON'BLE MR.JUSTICE AJAY KUMAR MITTAL
HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Rakesh Gupta, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Mr. Sandeep Moudgil, Advocate, for respondent Nos. 3 & 4.

Mr. Naveen Thakur, Advocate, for
Mr. Rahul Deswal, Advocate, for respondent No.5.

AJAY KUMAR MITTAL, J. (Oral)

Petitioners have filed this petition under Article 226 claiming Public Interest Litigation regarding illegal and unauthorised allotment of land to respondent No.5 measuring 10 kanals i.e 6050 Sq. Yards, forming part of khasra No.369/1 (21-11) Gair Mumkin Johar being used for common purposes by the petitioners and other inhabitants of Village Ratia.

2. In the written statement filed on behalf of respondent Nos. 3 and 4, question regarding maintainability of petition under public interest litigation has been questioned and it is, *inter alia*, stated that there is inter se dispute between the petitioners and the Gram Panchayat and even FIR No. 204 dated 07.04.2015 has been registered under Section 148, 149, 447 IPC at Police Station Ratia, District Fatehabad, wherein allegations of encroachment and forcibly taking over the possession of land in dispute

have been made. Learned counsel for respondent Nos. 3 and 4 further submitted that even challan has been presented on 09.07.2015 and which fact does not find mention in the petition.

3. After arguing for some time learned counsel for the petitioners submitted that he may be permitted to withdraw the present petition. However, liberty may be granted to the petitioners to avail alternative remedies available to them in accordance with law.

4. Dismissed as withdrawn with the afore-mentioned liberty.

(AJAY KUMAR MITTAL)
JUDGE

March 21, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

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