

CWP-3496-2019 (O&M)

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

**CWP-3496-2019 (O&M).
Decided on: February 25, 2019.**

Gram Panchayat Village Khanpur Brahmana

.. Petitioner

VERSUS

State of Haryana and others

.. Respondents

*** * ***

**CORAM: HON'BLE MR.JUSTICE JASWANT SINGH
HON'BLE MR.JUSTICE ARUN KUMAR TYAGI**

*** * ***

**PRESENT Mr.Deepak Bhardwaj, Advocate,
for the petitioners.**

JASWANT SINGH, J. (ORAL)

Petitioner – Gram Panchayat, village Khanpur Brahmana, Block Shahzadpur, Tehsil Naraingarh, District Ambala, through the instant writ petition prays for a direction to respondent No.2 – the Deputy Commissioner, Ambala, to decide application dated 1.3.2018 (Annexure P4) seeking mutation of land measuring 1130 kanals and 5 marlas comprised in Khewat/Khatoni No.251/306, Khasra No.12//21 (3-0), 22/1 (6-9), 22//1 (7-9), 10 (8-0), 23//6(3-8), 89//2 (1101-19), in favour of Gram Panchayat; with a further prayer for taking appropriate action for causing loss to the property of the Gram Panchayat by destroying Sarkanda and wood.

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It is averred that Arjun Ram son of Raunki Ram, resident of village Khanpur Brahmana, filed a petition in a representative capacity on behalf of himself and 86 proprietors of the village claiming title over the aforesaid land measuring 1130 kanals and 5 marlas, under Section 13 AA of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana) which was allowed by the District Collector Ambala vide order dated 2.1.2008. However, the same was set aside in the appeal filed by the Gram Panchayat before the learned Commissioner, Ambala Division, vide order dated 31.3.2008. The said appellate order was upheld by the revisional Authority in favour of the Gram Panchayat vide order dated 29.9.2010. The proprietors, thus, having failed to seek a declaration of title, the Gram Panchayat is seeking mutation in its favour although without there being a decree in its favour.

After arguing for some time, counsel for the petitioner – Gram Panachayat prays for permission to withdraw the instant petition to enable his client to avail the alternative remedy before appropriate forum in accordance with law.

Dismissed as ***withdrawn*** with aforesaid liberty.

(JASWANT SINGH)
JUDGE

February 25, 2019.
raj arora

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No