

CWP-4823-2019 (O&M)

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

**CWP-4823-2019 (O&M).
Decided on: March 26, 2019.**

Gram Panchayat Village Ranipur

.. Petitioner

VERSUS

State of Haryana and others

.. Respondents

*** * ***

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

*** * ***

**PRESENT Mr.Namit Khurana, Advocate,
for the petitioner.**

Mr.Rajiv Doon, Asstt. A.G. Haryana.

**Mr.Inderjeet Singh, Advocate,
for the applicants/respondent No.6 to 45.**

JASWANT SINGH, J. (ORAL)

The Gram Panchayat of village Ranipur has filed the instant writ petition seeking a mandamus to the revenue officials – respondent Nos.2 and 4, of the District for conducting the auction proceedings for leasing out the Gram Panchayat land measuring 353 kanals in a time bound manner. It is claimed that the Gram Panchayat is the owner

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in vacant possession of the aforesaid 353 kanals of land fully described in the title of the writ petition and the BDPO etc. are not presenting themselves at the time of conduct of auctions as per the provisions of Rule 6 of the Punjab Village Common Lands (Regulation) Rules, 1964.

The matter was adjourned for seeking the necessary instructions from the BDPO, Bilaspur.

CM-4611-CWP-2019, has been moved by the forty (40) residents of village Ranipur Khurd, under Order 1 Rule 10 CPC, seeking their impleadment on the ground that they are in cultivating possession of certain portions of the aforesaid 353 kanals of and which cannot be auctioned. It is claimed by the applicants that a title suit with the Gram Panchayat is pending before the competent authority under the provisions of Section 13-A of the Punjab Village Common Lands (Regulation) Act, 1961.

At the time of resumed hearing today, an affidavit dated 25.3.2019 of Mr.Narender Singh, BDPO, Bilaspur, District Yamuna Nagar – respondent No.4, has been filed in the Court which is taken on record. Paras 2 and 3 of the same read as under: -

“2 That in this respect, it is submitted that the Gram Panchayat vide its resolution No.1 dated 22.3.2019, has unanimously passed that the Gram Panchayat Ranipur shall auction its land measuring 369 kanal 16 marla for one year in open auction to the highest bidder on 5.4.2019 and for that purpose vide publicity is to be made through two newspaper and by beat of drum in the village. The copy of this resolution has been sent by the

Gram Panchayat Ranipur to the office of Block Development & Panchayat Officer, Bilaspur, for information.

3 *That in this respect, the Block Development & Panchayat Officer Bilaspur, has written a letter on dated 22.3.2019, to the Deputy Commissioner, Yamuna Nagar, to depute Duty Magistrate and to provide police assistance with Mahila Police to maintain law & order, so that the land of the Gram Panchayat Ranipur measuring 369 kanal 16 marla as per utilization plan, may leased out in open auction for one year on 5.4.2019 at 11 AM in Panchayat Samiti office Bilaspur, as per resolution of the Gram Panchayat in presence of the deponent.”*

In view of the aforesaid stand of the official respondents, counsel for the petitioner submits that nothing more survives for adjudication in the instant writ petition.

As regards the plea of the applicants, this Court does not deem proper to comment upon the same as whatever auction proceedings will be initiated, undoubtedly, they will be in accordance with law.

In view of aforesaid developments, no further orders are required to be passed.

The instant writ petition is disposed of as having rendered infructuous.

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Since no orders are required to be passed separately in the pending misc. application, the same also stands disposed of.

(JASWANT SINGH)
JUDGE

March 26, 2019.
raj arora

(ARUN KUMAR TYAGI)
JUDGE

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