

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

109

CWP No.9473 of 2019
Date of Decision: 17.05.2019

Manphool Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present : Mr. Vikram Singh, Advocate for the petitioners.

JASWANT SINGH, J. (ORAL)

The petitioner is a resident of Village Khukhrana, Tehsil Matlauda, District Panipat. The *abadi* of his village is situated next to the boundary wall of a thermal plant set up by the Haryana Power General Corporation Limited at Panipat since last more than 30 years. The environment around the thermal plant on account of air and water pollution constrained the Gram Panchayat to move a resolution for shifting the *abadi* of the village to a safer place. The State Government accepting such a request proceeded to acquire land in the adjoining village Sadopur for rehabilitating the residents within the *abadi* of Village Khukhrana. The said proceedings were initiated on 27.01.2006 under Section 4 of the Land Acquisition Act, 1894 and finalised in the year 2008. The residents of the village aggrieved against the delay due to alleged irregularities in the demarcation of the proposed area for shifting, filed CWP No.21851 of 2017, which was disposed of by a Division Bench of this Court vide order dated 26.09.2017. The operative portion of the order reads as under:-

"Since the petitioners are said to have made a

representation to the Deputy Commissioner, Panipat on 10.07.2017 raising all these disputed questions of facts, the instant writ petition is disposed of without expressing any views on merits, with a direction to the Deputy Commissioner, Panipat, to consider and decide that representation in accordance with law. However, if the petitioners are still aggrieved, they shall approach the appropriate forum and will not to rush to this Court in writ proceedings."

In compliance of the aforesaid directions, the Deputy Commissioner, Panipat has passed the impugned order dated 06.11.2018 (**Annexure P-12**). It is evident that the projected grievances of the petitioners have been adjudged in the context of the enquiry report submitted by the SDM, Panipat (**Annexure P-13**) and noticed that the work of shifting is in progress and the issues raised shall be addressed as and when the occasion arises in the future.

The present petition has been filed by Manphool Singh assailing the order dated 06.11.2018 (**Annexure P-12**) on the premise of non-furnishing of any criteria for shifting of residents.

After hearing counsel for the petitioner, we are not inclined to interfere at this stage as once the parties are rehabilitated, it is only then the grievance, if any, would come to the fore.

At this stage, counsel for the petitioner prays for permission to withdraw the present petition.

Dismissed as withdrawn.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

17.05.2019
Vinay-I

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No