

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

**Civil Writ Petition No. 10137 of 2017 (O&M)
Date of Decision: 17.01.2019**

Ramesh Kumar

..... Petitioner

Versus

Commissioner, Rohtak Division, Rohtak, and others

..... Respondents

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

Present: Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Arun Beniwal, Deputy Advocate General, Haryana
for respondent Nos. 1 & 2/State.

Mr. Jangvir Singh Hooda, Advocate
for private respondent Nos. 3 to 7.

Ms. Radhika Verma, Advocate
as Local Commissioner.

JASWANT SINGH, J. (ORAL)

Petitioner (*Ramesh Kumar*) is a land owner in Village Kishangarh (Meham), Tehsil Mehama, District Rohtak. He has filed the present writ petition, challenging the order dated 04.11.2016 (**Annexure P-4**) passed by the Consolidation Officer, Rohtak, whereby eight (08) marlas land owned by him in Khasra No. 479//2 was ordered to be allotted to Mani Ram (respondent No. 5 herein) for construction of a path connecting passage No. 1566 with passage Nos. 1564 and 1567. The grievance also is raised with regard to the inadequate compensation for the structures in the said land in the nature of a *kotha* and *tubewell*.

It is not disputed that an equivalent area of eight (08) marlas

belonging to Mani Ram (respondent No. 5) comprised in Khasra No.

479//13 was allotted to petitioner in lieu of the aforesaid land belonging to him (petitioner), comprised in Khasra No. 479//2.

In view of the contradictory assertion with regard to the existence of a tubewell, this Court vide order dated 27.09.2018 had appointed Ms. Radhika Verma, Advocate as Local Commissioner, to visit the spot and verify the claim and counter-claim of the parties.

On the previous date of hearing, i.e., 18.12.2018, the petitioner had moved an application bearing *CM No. 19307 of 2018* seeking to place the *Panchayati Compromise* arrived at on 26.09.2018, however, reduced in writing on 08.12.2018 as **Annexure P-6**.

In view of the parties having evaded the request of the Local Commissioner for visiting the spot, this Court had directed the parties to be present in Court today.

At the time of hearing today, Ms. Radhika Verma, Advocate, Local Commissioner, concedes that she has not visited the spot as the counsel have stated that the parties have arrived at a compromise. She has been paid a sum of ₹ 10,000/- (Ten Thousand only) in cash towards her efforts for visiting the site.

Application bearing **CM No. 19307 of 2018** is **allowed**, and the aforesaid affidavit/written compromise is taken on record as **Annexure P-6**.

Mr. Jangvir Singh Hooda, counsel for private respondent Nos. 3 to 7, including Mani Ram, states that his client(s) has agreed to transfer the eight (08) Marlas land, which has been allotted to him in compliance of the impugned order dated 04.11.2016 (**P-4**), meant for a passage to be transferred to the ownership of the Gram Panchayat. He acknowledges the

contents of the aforesaid said compromise at **P-6**. He also assures the Court that within next one (01) month, mutation in the name of Gram Panchayat of the said piece of land would be got transferred, so as to finally settle the issue.

In view of the aforesaid developments and written compromise, counsel for the petitioner, on instructions from his client, prays for permission to withdraw the present petition.

Keeping in view of the above, present writ petition is **disposed of as infructuous.**

It is made clear that respondent No. 5 (Mani Ram) shall be bound by his statement.

(JASWANT SINGH)
JUDGE

January 17, 2019
'dk kamra'

(ARUN KUMAR TYAGI)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>