

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

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CM No.17740-CWP of 2018 in/and  
CWP No.17693 of 2018  
Date of Decision: 06.03.2019

Mewa Ram

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present : Mr. Vinod Bhardwaj, Advocate  
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana  
for respondents No.1 to 5-State.

Mr. Rajinder Mehta, Advocate  
for respondent No.6.

Mr. Rajinder Kumar Mehta, Advocate for  
Mr. Jai Parkash Sharma, Advocate  
for the applicant in CM No.17740-CWP of 2018.

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**JASWANT SINGH, J. (ORAL)**

The petitioner is a resident of Village Kallar Majra, Tehsil Guhla, District Kaithal. He is seeking a mandamus for directing the official respondents to conduct an open auction of land measuring 24 kanals belong to the Gram Panchayat, Village Kallar Majra, fully described in para 2 of the writ petition.

We find that the general and sweeping pleadings have been made without giving the details of the auctions conducted each year by the Gram Panchayat, Kallar Majra. In fact, an application bearing CM No.17740-CWP of 2018 under Order 1 Rule 10 read with Section 151 of the CPC has been filed by the Gram Panchayat, Dera Bajigar, Block Guhla, District Kaithal, through its Sarpanch for its impleadment as

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respondent No.9 with the averment that the area described in para 2 of the writ petition stands allocated to the bifurcated Gram Panchayat, Dera Bajigar, out of the earlier parent Gram Panchayat, Kallar Majra.

The application is supported by an affidavit of Sarpanch of Gram Panchayat, Dera Bajigar along with a notification dated 28.09.2004 (**Annexure R-9/2**) annexed with the application constituting the newly carved out Panchayat of Dera Bajigar. Although it is not disputed that *haddast* of both the Gram Panchayats is the same bearing No.11.

In view of the aforesaid development as also lack of complete particulars, still further the availability of an alternative remedy under Section 10-A of Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to the State of Haryana), we are not inclined to invoke writ jurisdiction.

At this stage, counsel for the petitioner prays that the present writ petition may be dismissed as withdrawn.

Dismissed as withdrawn.

(JASWANT SINGH)  
JUDGE

(ARUN KUMAR TYAGI)  
JUDGE

**06.03.2019**  
Vinay-I

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|---------------------------|--------|
| Whether reasoned/speaking | Yes/No |
| Whether reportable        | Yes/No |