

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

RSA-125-2015(O&M)

Date of Decision: 18.09.2019

SATYAWAN AND ORS

..... Appellants

Versus

GRAM PANCHAYAT AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rajesh Khandelwal, Advocate
for the appellants.

Mr. Suresh Ahlawat, Advocate
for respondent No.1.

Mr. Kuldeep Khandelwal, Advocate
for respondent No.2.

SUDIP AHLUWALIA J. (ORAL)

CM No.6713-C-2018

For the reasons mentioned in the application, the appellant is permitted to place on record copies of the documents, being High Court order dated 07.02.2018 and the application made to the Deputy Collector, Jind (Mark-1 & 2), respectively.

Application stands disposed off.

RSA No.125 of 2015

1. Learned counsel for the appellants draws the attention of this Court to the order passed earlier on 20.02.2015, in terms of which, notice of motion was issued on the short ground that the appellants are inclined to purchase the disputed land under Rule 8 of the Punjab Village Common Lands (Regulation) Rules, 1964 (as applicable to the State of Haryana).

2. He, thereafter, submits that the appellants have already

approached the Deputy Commissioner, Jind, vide letter dated 09.02.2018 (Mark-2) but no response has been forthcoming.

3. Learned counsel, therefore, seeks liberty of this Court to withdraw the present appeal, so as to enable the appellants to seek appropriate remedy by way of a writ in the nature of mandamus before the Competent Court, as according to him, the appellants are entitled to purchase the land from the Gram Panchayat (respondents), in terms of Rule 12(4) of the Punjab Village Common Lands (Regulation) Rules, 1964, as applicable to the State of Haryana.

4. The submission made on behalf of the appellants does appear to be logical and reasonable.

5. Consequently, the appeal is order to be dismissed as withdrawn with liberty to the appellants to approach the Competent Court for alternative remedy in accordance with law. Operation of the impugned judgments and decree against the appellants shall remain stayed for a period of 3 months from today, after which they shall automatically stand revived. In the interest of justice, dispossession of the appellant from the disputed lands, in terms of the impugned judgments and decree shall remain stayed for a period of 3 months from today.

18.09.2019

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**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No