

CWP-38160-2018 (O&M)

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

**CWP-38160-2018 (O&M).
Decided on: February 6, 2019.**

Rajesh Sharma and others

.. Petitioners

VERSUS

State of Haryana and others

.. Respondents

*** * ***

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

*** * ***

**PRESENT Mr.Shekhar Verma, Advocate,
for the petitioners.**

JASWANT SINGH, J. (ORAL)

CM-1856-CWP-2019

Prayer in the misc. application is for placing on record copy of legal notice dated 18.8.2006 (***Annexure P20***); copy of letter dated 20.12.2018, addressed by the Deputy Commissioner, Panipat, to the Addl. Deputy Commissioner, Panipat (***Annexure P21***) and copy of letter dated 20.12.2018, regarding withdrawal of legal notice, sent by the Deputy Commissioner, Panipat, to Sh.Goind Rana, Advocate, (***Annexure 22***).

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For the reasons mentioned in the misc. application, the same is allowed.

Annexures P20 to P22, taken on record.

Registry to tag the same at appropriate place and paginate the paper book accordingly.

CM-1857-CWP-2019

Prayer in the misc. application on behalf of the petitioner is for withdrawal of the main writ petition which stands adjourned to 14.3.2019, without issuance of notice, in view of subsequent developments in the form of Annexures P20 to P22, so as to enable his clients to file a fresh petition, if advised, in the light of changed situation.

The petitioners are the proprietors of the village Gawalra, Tehsil Israna, District Panipat and by filing the instant writ petition, are seeking implementation of the resolution dated 22.10.2018 (Annexure P12), passed by the Gram Panchayat, for auction of the Gram Panchayat land measuring around 600 acres after excluding 94 acres of land which forms part of the litigation in CWP-6766-2006 and CWP17464-2006, pending adjudication before this Court wherein ***status quo*** regarding possession of 94 acres of land only has been passed.

It is submitted that under the garb of aforesaid ***status quo*** order, the Gram Panchayat is being precluded from auctioning the remaining ***shamilat – Panchayat*** land for generating income.

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In view of the contents of misc. application and on the oral prayer made by the counsel for the petitioners, the date of hearing of the main case is preponed from 14.3.2019 and the same is taken up today itself, and the instant misc. application is allowed. The main writ petition **CWP-38160-2018**, is permitted to be ***withdrawn*** with liberty to the petitioners to file a fresh petition.

(JASWANT SINGH)
JUDGE

February 6, 2019.
raj arora

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No