

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CWP-21440-2020

Date of decision: 14.12.2020

Surta and others

.....Petitioners

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Vivek Lamba, Advocate
for the petitioners.

Ms. Palika Monga, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Surta and 15 others, have jointly filed the present petition *inter alia* with a prayer to issue directions to the respondents to save the life and liberty of the petitioners as guaranteed to them under Article 21 of the Constitution of India with a further prayer to direct respondents No.2 & 3 to take appropriate action on the representations (Annexures P-7 & P-8), submitted by the petitioners.

Learned counsel for the petitioners, based on the pleadings in the petition, submits that the petitioners are permanent residents of District Bagpat (Uttar Pradesh). He submits that their agricultural land is situated in revenue estate of Village Khurumpur, Tehsil Rai, District Sonipat

(Haryana). Learned counsel submits that the rural agricultural land which was situated in Village Nangla Behalolpur, Tehsil Bagpat, District Meerut (UP), was owned by the petitioner, stated to be approximately 254 acres. It is then submitted that due to change of course of river Yamuna the boundary of Village Nangla Behlolpur (UP) and Village Khurumpur, Tehsil and District Sonipat (Haryana) also changed. He submits that resultantly the land of petitioner came inside the Revenue Estate of Haryana. Learned counsel for the petitioners then submits that for same/similar grievance as made in the present petition, some of the petitioners have jointly submitted a representation before the District Magistrate/Deputy Commissioner, District Sonapat (Haryana), on 19.08.2020.

Notice of motion.

On asking of the Court, Ms. Palika Monga, DAG, Haryana, accepts notice on behalf of the State.

Learned counsel for the State informs the Court that in fact the concerned official from the office of the respondents, has given instructions to her that firstly there were cross complaints also. She further submits that in pursuance thereto, proceedings against some of the petitioners and other complainant party, under Section 107 and 150 of Cr.P.C., have been initiated on 04.12.2020. Secondly she submits that regarding same/similar issue there was litigation pending before this court and the Hon'ble Supreme Court of India as well.

Without commenting on merits of the case, respondent No.2 is directed to look into the representation and after ascertaining all the facts in

accordance with law, the petitioner be informed by passing a speaking order regarding the issues raised in the representation as expeditiously as possible, preferably within a period of three months from the date of receipt of certified copy of this order.

A copy of this order be sent to the Competent Authority, by the Registry through e-mail or any other mode, so as to enable the said authority to do the needful expeditiously.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

14.12.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No