

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

RSA No. 154 of 2020(O&M)

Date of decision: 14.2.2020

Harchand Singh and anotherAppellants

VERSUS

Gram Panchayat Sadopur and othersRespondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. J.S. Cooner, Advocate for the appellants.

REKHA MITTAL, J. (Oral)

Challenge in the present appeal has been directed against concurrent findings recorded by the Courts whereby suit for permanent injunction restraining the respondents/defendants from changing nature of land measuring 109 bigha 4 biswas, detailed in para 1 of the judgment of trial Court, admittedly, created during consolidation by imposing pro-rata cut on land holdings of proprietors of village to be used for common purposes of the village has been dismissed by the trial Court vide decree and judgment dated 21.07.2016 that came to be affirmed in appeal by the District Judge, Ambala even though the Court in appeal has reversed findings of the trial Court on the question of jurisdiction of the Civil Court.

Counsel for the appellants would fairly inform that dispute with regard to ownership of the land in question is pending decision before the authorities under Punjab Village Common Lands (Regulation) Act,

1961 (in short ‘the Act’) as applicable to State of Haryana. He would further state that the present appeal may be disposed of but with the observations that findings recorded by the Civil Court will not cause prejudice to the appellants in proceedings pending before the said authorities.

In view of above, the appeal stands disposed of. Any findings recorded by the Courts with regard to merits of the case would be of no consequence for decision of matter by the authorities under the Act.

FEBRUARY 14, 2020		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no