

CWP-15301-2021

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

CWP No.15301 of 2021  
Date of decision : 15.09.2021

Suresh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH  
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Deepak Sharma, Advocate,  
for Mr. Pankaj Bali, Advocate, for the petitioners.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana.

**AUGUSTINE GEORGE MASIH, J.(ORAL)**

Challenge in this writ petition is to the order dated 21.11.2019 (Annexure P-4) passed by the Sub Divisional Magistrate, Rohtak, vide which the claim of the petitioners for ownership over the Gram Panchayat land on the basis of he being '*dholidhar*' stands rejected.

It is the contention of the learned counsel for the petitioners that the Collector-cum-Sub Divisional Magistrate, Rohtak, has rejected the claim of the petitioners primarily on the ground that the letter dated 15.10.2018 has been received from the Additional Chief Secretary and Financial Commissioner to Government of Haryana, Revenue and Disaster Management Department, Chandigarh, according to which the owner of the land being Nagar Nigam, the land therefore vests in the Local Government and cannot be Panchayat Deh. He contends that this letter is of the year 2018 whereas the claim of the petitioners has been

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submitted in the year 2014 i.e. 28.02.2014 as is apparent from the impugned order. Counsel, thus, contends that the said letter would not be applicable to the case of the petitioners and the claim, thus, of the petitioners has been wrongly rejected.

Learned counsel for the State on the other hand asserts that the petitioners at the time of inception of the application also could not verify such a claim, in the light of the fact that the Nagar Nigam had come into existence much prior thereto by the inclusion of the land of the village. In this regard he has referred to the Inteqal No.2225 dated 15.2.2012 showing the Nagar Nigam, Rohtak, to be the owner of the land.

In the light of the above, the contention of the learned counsel for the petitioners cannot be accepted as on the day when the claim for declaration as owner of the land was submitted by the petitioners i.e. 28.02.2014, the land no more was a Gram Panchayat land but was in the ownership of the Nagar Nigam, Rohtak.

The writ petition, therefore, being devoid of merits stands dismissed.

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

**(ASHOK KUMAR VERMA)**  
**JUDGE**

**September 15, 2021**  
**R.S.**

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No