

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-3016-CWP-2022 and
CM-3018-CWP-2022 in/and
CWP-2734-2020

Date of decision : 17.03.2022

Jagmal Singh and others

.....Petitioners

Versus

State of Haryana and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. S.S. Swaich, Advocate
for the applicant/petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-3016-CWP-2022

This is an application for preponing the date of hearing of the
main case.

Notice of the application.

Ms. Rajni Gupta, Addl.A.G., Haryana accepts the notice and
raised no objection in preponing the main case. Thus, the application is
allowed and the main writ petition is taken on board today itself for
disposal.

CWP-2734-2020

Learned counsel for the applicant/petitioners in the light of
remedy provided under Rule 13 of the Haryana Dholidar, Butimar,
Bhondedar and Muqararidar (Vesting of Proprietary Rights) Rules, 2011
(hereinafter referred to as '2011 Rules'), which have been framed in exercise
of powers as conferred under Section 13 of the Haryana Dholidar, Butimar,
Bhondedar and Muqararidar (Vesting of Proprietary Rights) Act, 2010,
prays for withdrawal of the writ petition. He further contends that in view of

the fact that the applicant/petitioners have been pursuing the remedy before the wrong forum and, therefore, now he would be approaching the Competent Authority with an application for condonation of delay which may be considered and the competent authority may take into consideration this aspect while deciding the application for condonation of delay and thereafter proceed in the matter in accordance with law.

In the light of the statement made by the counsel for the petitioners, we accept the prayer made by the counsel and dispose of the writ petition as withdrawn with liberty to the petitioners to file appropriate proceedings before the Competent Authority under Rule 13 of the 2011 Rules along with an application for condonation of delay detailing therein the reason for the delay. In case such an application is moved along with the proceedings, as may be initiated by the petitioners, the same shall be considered and a sympathetic view thereon may be taken by the said authority. The competent authority, in case accepts the prayer for condonation of delay, it shall proceed in the matter in accordance with law.

With the above terms, the present writ petition stands disposed of.

Since the main writ petition has been disposed of, no order is required to be passed in the pending civil miscellaneous application(s).

**(AUGUSTINE GEORGE MASIH)
JUDGE**

March 17th, 2022

ps-I

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No

**(SANDEEP MOUDGIL)
JUDGE**