

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

CWP-3910-2022 (O&M)

Date of decision: 04.03.2022

Jagbir Singh

....Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anil Mehta,
 Mr. Mayank Sharma and
 Mr. Varun Dutta, Advocates for the petitioner

Mr. Samarth Sagar, Addl. AG, Haryana

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

Through this writ petition the petitioners pray for issuance of a writ in nature of Certiorari to quash the communication dated 21.01.2022 (Annexure P-9) issued by the Deputy Commissioner, Charkhi Dadri. In substance the dispute is with regard to an alleged narrow strip of land which is alleged to be used by the residents of the village for going to the cremation ground. The grievance of the petitioners is that if that narrow strip of land is included in the sports stadium, the residents will have to take a circular route, which will force the residents to travel for additional 2.5 kms.

A District level sports stadium has been constructed on the land given by the Gram Panchayat. Sh. Mehta, learned counsel representing the petitioners admits that the aforesaid narrow strip of land

is not an official passage or a revenue rasta. The petitioners suggest alternative land for stadium in lieu of the narrow strip allegedly used for passage. The State Counsel on instructions from Sh. Ajit Chahal, DDPO, Charkhi Dadri, has produced the map of the area and has submitted that the alternative piece of land suggested by the petitioner is already a part of the stadium.

Heard learned counsel representing the parties at length and with their able assistance perused paper book and examined the revenue layout plan produced by the State. In the considered opinion of the Court in the exercise of powers of judicial review it would not be appropriate for the Court to exercise jurisdiction, particularly when the aforesaid alleged narrow strip of land is not a sanctioned revenue passage. This Court does not have aid or technical expertise to decide such matters. It is for the State administration to examine the matter and decide.

Hence, the petitioners, if so advised, may write to the State Government for the redressal of their grievances.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

04.03.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE