

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

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**CWP-4018-2022 (O&M)
Date of decision:02.03.2022**

**DR. BHIM RAO AMBEDKAR SABHA, BELARKHA THROUGH
ITS MEMBER SH. KAMAL SINGH, TEHSIL NARWANA,
DISTRICT JIND**

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Pardeep Sihmar, Advocate,
for the petitioner.**

ANIL KSHETARPAL, J (Oral)

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

The petitioner-Sabha prays for issuance of a writ in the nature of mandamus to direct the respondents to stop the construction/encroachment on the land.

The petitioner claims that the Gram Panchayat of the village passed a resolution on 15.07.2017, in order to allocate the land measuring 14 kanals 7 marlas which is recorded as 'Gair Mumkin Pond' for construction of Dr. Bhimrao Ambedkar Sabha. The petitioner complains that thereafter certain unauthorized persons are raising the constructions.

On a Court question, the learned counsel representing the petitioner admits that there is no final decision or allocation of the land in favour of the petitioner. The immovable property of the Gram Panchayat cannot be gifted unless it is approved by the competent authority.

The learned counsel representing the petitioner admits that there is also no approval from the competent authority allocating the land referred to above, for the construction of the building of the petitioner. The petitioner has also not impleaded the persons who are allegedly constructing the area.

Thus, the writ petition is not only bereft of necessary particulars but also is without any final allotment. The resolution of the Gram Panchayat is only a decision which is subject to the approval by the competent authority which has not been received.

Keeping in view the aforesaid facts, the writ petition is dismissed.

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

March 02, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No