

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

**CWP-6445-2020**

**Date of Decision: December 23, 2022**

**KAMALDEEP AND ORS**

..... Petitioners

**Versus**

**STATE OF HARYANA AND ORS**

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL  
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. Chander Shekhar Singhal, Advocate for the petitioners.

Mr. Amit Aggarwal, DAG, Haryana.

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**LISA GILL, J.**

Prayer in this writ petition is for directing respondent No. 2 to expedite proceedings under Section 13A of the Punjab Village Common Lands (Regulation) Act, 1961 [now Haryana Village Common Lands (Regulation) Act, 1961 as notified on 05.04.2021 (for short – ‘1961 Act’)] initiated by the petitioners. It is stated that the matter is lingering on since 26.01.2010.

Notice of motion was issued in this writ petition on 12.03.2020 and was adjourned at request of learned counsel for the State to seek instructions as to why the civil suit filed by the petitioners was pending for the last ten years.

Though no reply has been filed in this writ petition, learned counsel for the State, on instructions from Sh. Ramesh, Reader to Deputy Commissioner, Ambala, submits that it is the petitioners themselves, who

are responsible for the delay. It is submitted that petition under Section 13A of the 1961 Act was once dismissed for non-prosecution on 10.08.2011 and thereafter restored on their application on 04.10.2011. Subsequent thereto, various applications have been filed by the petitioner and at times none has appeared on their behalf. The matter, it is submitted, is now listed for hearing on 13.01.2023 for framing of issues and for decision on an application under Order 1 Rule 10 CPC.

Learned counsel for the petitioners while submitting that infact there has been no delay on the part of the petitioners, states that in any case, henceforth there would be no delay on the part of the petitioner and they would also complete the entire evidence, if granted three opportunities. Petitioners further undertake that there would be no delay of any kind on the part of the petitioners.

Keeping in view of the facts and circumstances as above, this writ petition is disposed of with a direction to the competent authority to finally conclude the proceedings under Section 13A of the 1961 Act expeditiously and preferably within six months from the date fixed before it i.e. 13.01.2023.

**(LISA GILL)**  
**JUDGE**

**(RITU TAGORE)**  
**JUDGE**

**December 23, 2022**

rts

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No