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

CWP-16636-2022

Date of Decision: 27.10.2022

Yash Pal and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Divyam Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioners.

Mr. Raman Kumar Additional A.G., Haryana.

LISA GILL J. (ORAL)

Petitioners have filed this writ petition being aggrieved of action of the respondents in utilizing their land measuring 5 Kanals and 16 Marlas for construction of Primary Health Centre in the year 2009 without transferring any commensurate land thereof in favour of the petitioners or any compensation being granted to them in lieu thereof.

It is submitted that resolution dated 18.06.2009 was passed by respondent No.7-Gram Panchayat to the effect that the land which was earmarked for the purpose of construction of Primary Health Centre was found to be deficient by the Chief Medical Officer and it was proposed that land measuring 5 Kanals 16 Marlas, adjoining the said Panchayat land, which belongs to the petitioners, be utilized for the said purpose. Readiness and willingness of the petitioners to exchange their land with the barren

empty land of Gram Panchayat measuring 6 Kanals and 19 Marlas, comprised in Mushtakil No.63 Killa No.5/3 (0-11), Mushtakil No.64 Killa No.1/2 (5-12) and Khasra No.64 Killa No.2/1 (0-16) for the construction of Primary Health Centre was duly recorded. Transfer of said 6 Kanals and 19 Marlas in lieu of land measuring 5 Kanals and 16 Marlas was recommended to the Panchayat Samiti vide Resolution No.2 dated 18.06.2009.

Petitioners, it is submitted, have been running from pillar to post for transfer of land in question in lieu of the land measuring 5 Kanals and 16 Marlas given up by them for construction of Primary Health Centre. It is further submitted that land measuring 5 Kanals and 16 Marlas belonging to the petitioners stands utilized by the Gram Panchayat and Primary Health Centre has been constructed thereon, however the land in lieu thereof, as recommended has not been transferred to the petitioners.

Learned counsel for the State on 01.08.2022 was directed to seek instructions in this regard. He, while referring to communication dated 26.10.2022 from Director General, Development and Panchayat Department, Haryana, Chandigarh to learned Advocate General, Haryana, Chandigarh submits that transfer of 5 Kanals and 16 Marlas of land, comprised in Mushtakil No.48//10/1/1–10/1/2, has been approved by worthy Chief Minister of Haryana and necessary formalities for transfer and delivery of possession thereof shall be completed within the next two months.

Learned counsel for the petitioners, on instructions from petitioners, submits that they are satisfied with the transfer of land measuring 5 Kanals and 16 Marlas instead of the proposed land measuring 6 Kanals and 19 Marlas.

Keeping in view the specific stand of the petitioners and submission made by learned counsel for the State, this writ petition is accordingly disposed of with the direction that necessary action for transfer of said land measuring 5 Kanals and 16 Marlas be taken within two months as stated before this Court.

(LISA GILL)
JUDGE

27.10.2022

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No