

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

114

CWP-6516-2022

Date of Decision : January 09, 2023

ZILE SINGH AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. A.P.S. Nain, Advocate for
Mr. Ajay Singh Ghanghas, Advocate
for the petitioners.

Mr. Raman Sharma, Addl. A.G., Haryana.

SURESHWAR THAKUR, J.(ORAL)

1. The Gram Panchayat concerned is averred to raise a *pacca rasta* on the land belonging to co-petitioner No.2. The said *pacca rasta* has been raised on Khasra Nos.101 and 102.

2. The learned State counsel does not contest the factum of the *pacca rasta* becoming raised on land owned, and, possessed by co-petitioner No.2. Therefore, the co-petitioner No.2 does appear to be *prima facie* nursing a valid claim for the Gram Panchayat concerned, exchanging its land with the above said land, whereon, a *pacca rasta* has been raised.

3. Consequently, the writ petition is disposed of with a direction to the respondents concerned, to on application(s), for exchange(s) of land being moved before the Competent Authority, but within the four corners of the relevant rules, hence make the promptest decision(s) thereons but yet only in accordance with law.

4. So far as the petitioner No.1 is concerned, by filing status

report, on affidavit, dated 12.10.2022, it has been stated by respondents that in case the petitioner No.1 files the necessary application, under Rule 12 (4) of the Punjab Village Common Lands (Regulation) Rules, 1964, as applicable to the State of Haryana, the same shall be considered in accordance with law.

5. If the application(s) for the above purpose have already been moved, the same shall be decided within four months from today.

6. For ensuring that the ends of justice are not defeated, it is also deemed imperative to order that till a decision on the above application(s) are made by the Competent Authority, thereupto the order of eviction, as made in respect of the disputed lands, may not be enforced.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

January 09, 2023
devinder

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No