

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

**COCP-1591-2021 (O&M)
Date of decision: 19.04.2023**

Piara Singh and anr.

... Petitioners

Vs.

Ajoy Kumar Sinha and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Virk, Advocate for the petitioners.

Mr. Teevar Sharma, AAG, Punjab.

Mr. Sandeep Khunger, Advocate and
Mr. Saksham Khunger, Advocate for respondents No.2 to 4.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioners allege violation of the order dated 15.12.2010, vide which, in CWP-21980-2010 filed by the petitioner praying for issuance of a writ in the nature of mandamus to the respondents not to change the nature of common land of the village, it was directed that the land in dispute be not auctioned for extraction of minor minerals and the subsequent order dated 02.08.2011, vide which it is undertaken on behalf of Municipal Council not to auction the land or to change the nature of common land and the writ petition was rendered as infructuous.

Learned counsel for the petitioners submits that now respondents

No.2 to 4 have sold the land.

Reply by way of affidavit of Executive Officer, Nagar Panchayat (now Municipal Council), Sri Chamkaur Sahib, District Rupnagar, on behalf of respondents No.2 to 4, is on record, in which it is stated that Director, Urban Local Bodies, Punjab directed the Executive Officer to pass a resolution regarding setting up a Skill-cum-Vocational University and after long communications, the Deputy Commissioner, Rupnagar, vide letter dated 13.11.2017, Sub Divisional Magistrate, Sri Chamkaur Sahib that the land in dispute is to be acquired under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel for respondents No.2 to 4 submits that subsequently, Skill-cum-Vocational University has been established for considering larger interest of students of the area. It is further submitted that the order was passed not to lease out the land for the purpose of extraction of minor minerals and now under the directions of the State Govt., the University has already been set up and is functional, therefore, no willful disobedience is made out.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

19.04.2023
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No