

In the High Court of Punjab and Haryana at Chandigarh

(222)

CWP No. 14979 of 2018

Date of Decision: 22.3.2023

Naresh Kumar 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. Shilak Ram Hooda, Advocate
for the petitioners.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

Mr. S.P.Chahar, Advocate for respondent No. 5.

SURESHWAR THAKUR, J. (ORAL)

1. The learned counsel for the petitioners seeks leave to withdraw the instant petition.

2. Leave granted.

3. Dismissed as withdrawn. However, liberty is reserved to the petitioners to forthwith institute a title suit under Section 13-A of the Haryana Village Common Lands (Regulation) Act, 1961, before the Collector concerned. On such a title suit, being forthwith instituted, the same shall be decided, through a speaking order being made thereons, but after hearing all the affected persons but assuredly within six months of its preferment.

4. Till a decision is made on the said title suit, thereupto the sale proceeds, as are instantly lying deposited with the banks concerned, in the shape of the FDR, drawn in the name of the Gram Panchayat concerned, shall not be released either to the Panchayat concerned, or to the village proprietors concerned, nor the said FDR shall be encashed by any concerned. However, on

expiry of the term of the FDR concerned, the same is permitted to be renewed

by the banker concerned, but only in the name of the Secretary of the Gram Panchayat concerned, but shall be neither released nor shall be encashed by the concerned.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

March 22, 2023
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No