

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(213)

CWP-27285-2016

Date of decision: - 20.02.2023

Anand Bhardwaj

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Mukul Goyal, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

Mr. Nitin Kadian, Advocate
for Mr. Yashveer Kharb, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to transfer the ownership of land measuring 10 kanals 01 marla bearing Khewat No.2695 Min Khatoni No.2837 Khasra No.85 Killa No.23/1 (0-17), 100//3/1 (3-4), 27 (6-0), situated at village Patti Kaliyana, Tehsil Samalkha, District Panipat as per jamabandi for the year 1983-84, 1988-89, 1993-94, 1998-99, 2003-04, 2008-09 and mutation No.13650 dated 30.08.2016 (Anenxure P-1) (Colly.) in the name of petitioner being cultivator as Dholidar in view of the notification dated 04.03.2011 and 16.06.2011 (Annexure P-2) (Colly.) issued by the Government of Haryana.

Learned State counsel has pointed out that as per the notification dated 08.09.2018, a copy of which has been produced before this Court and the same is taken on record and has been marked as “Mark A”, an amendment has been made to the effect that the earlier notifications would not apply to land owned or deemed to have been vested in the Panchayat or Municipality or land owned by any Government Department, Board or Corporation.

Learned State counsel has submitted that the land in the present case is owned by Gram Panchayat and thus, as per the said notification, the land cannot be transferred to the present petitioner.

Learned counsel for the petitioner, in view of the above, seeks to withdraw the present writ petition with liberty to challenge the said notification, if so advised.

Dismissed as withdrawn, with the aforesaid liberty.

February 20, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No