

2023:PHHC:096519

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

CWP-16056-2023

Date of Decision: 28.07.2023

Ram Singh and others

..... Petitioners

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ashish Aggarwal, Sr. Advocate with
 Ms. Aashna Aggarwal, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for directing the Tehsildar (Sales), respondent No.5 to take a final decision on the application filed by the petitioners under the provisions of the Haryana Evacuee Properties (Management and Disposal) Rules, 2011 i.e. under Rule 8 for transfer of the land in question in favour of the petitioners on the terms and conditions laid down in Rule 8 thereof in a time bound manner as the said application has not been decided till date and the petitioners are in possession of the land in question and are willing to get the land in question transferred in their favour on the prescribed terms and conditions on the payment of the prescribed price to the respondents.

Learned Senior counsel has *inter alia* contended that the petitioners are bonafide purchaser of the land in dispute..He has submitted that originally this land was allotted to Jiwan Dass in the year 1950, who sold it further in the years 1967 to 1969 to one Banwari and others. He submits that thereafter vide sale deeds dated 14.07.1987 (Annexure P-4) and 19.01.1989 (Annexure P-5), father of the petitioners purchased the land from the legal heirs of Jiwan Dass. It is submitted that hereinafter the allotment to the original owner Jiwan Dass was cancelled. It is submitted that though the litigations were carried out before the quasi judicial

authorities and the same has attained finality. He submits that situation of the petitioners is precarious as they are in possession of the property for the last more than 36 years and are ready to purchase it as per law settled. He has submitted that for the redressal of their grievances, the petitioners have filed a representation dated 10.01.2023 (Annexure P-16) to Tehsildar (Sales)-cum-Managing Officer, Hisar, but till date no decision has been taken on the same.

Notice of motion.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the official respondents.

After hearing learned counsel for the parties, the present petition is disposed of with a direction to respondent No.5 to decide the representation of the petitioners (Annexure P-16) after hearing them in accordance with law within a period of four weeks from today.

28.07.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No