

In the High Court of Punjab and Haryana at Chandigarh

(102)

CWP No. 29468 of 2022

Date of Decision: 13.3.2023

Avtar Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. H.B.S.Baidwan, Advocate
for the petitioners.

Ms. Monika Jalota, Sr. DAG, Punjab.

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 Dismissed as withdrawn.
4. However, liberty is reserved to the petitioners to avail the remedy of appeal against the order dated 23.5.2002 (Annexure P-8).
5. In case, the appellate authority proceeds to also make an order of dismissal on the statutory appeal concerned, thus it would be open to the petitioners to access this Court, even with a plea, that the Punjab Amending Act No. 19 of 2022, whereby Section 2(g)(6) has been incorporated in the Punjab Village Common Lands (Regulation) Act, 1961, be declared to be ultra vires.
6. On such a statutory appeal, being filed before the competent appellate authority concerned, the latter, after hearing all the affected

persons, shall make a speaking order thereon but definitely within six months of its preferment.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

March 13, 2023
Gurpreet

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