

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.1989 of 2024
Date of Decision: 24.04.2024

Gram Panchayat Village Ding
..... Petitioner

Versus

State of Haryana and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

Ms. Upasna Dhawan, AAG, Haryana.

Mr. Naveen S. Bhardwaj, Advocate
for respondent No.4.

Mr. Rajesh Gaur, Advocate
for respondent No.5.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for quashing the order dated 01.12.2023 (Annexure P-10) vide which claim of the petitioner has been rejected without taking into consideration the mandate of order dated 20.10.2023 passed in CWP No.24161 of 2023 (Annexure P-8) and for restraining the respondents from removing the sheds from the land which was reserved for the Gram Panchayat/Mandi over which the Grain Market is existing in the Mandi and to protect the interest of Gram Panchayat.

This Court had already passed the order dated 20.10.2023 directing the Secretary-cum-Executive Officer, Market Committee, Ding Mandi, District Sirsa to decide the representation of the petitioner for redressal of his grievance within four weeks.

Learned counsel for the petitioner has submitted that primarily now the dispute is ownership of the property. He has fairly submitted that regarding the issue of sheds that those are already removed however he disputes the ownership of the land where the sheds have been erected.

Learned counsel for respondent No.4 on the other hand has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner had never raised the issue regarding the ownership of the land. He has also submitted that on the order passed by this Court dated 20.10.2023, the representation of the petitioner has already been decided and the order in this regard has been passed by the Secretary-cum-E.O., Market Committee, Ding on 01.12.2023. He has submitted that thus nothing survives in the present petition.

Heard.

On hearing learned counsel for the parties and perusing the record, it is apparent that on the order passed by this Court on 20.10.2023, representation of the petitioner has already been decided vide order dated 01.12.2023.

However the issue regarding the ownership of the land as raised is a matter of evidence and hence in the writ jurisdiction, this Court would refrain from entertaining the same.

In view of the above, the present petition is disposed of. However the petitioner would be at liberty to avail the alternative remedy as available to him in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

24.04.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No