



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.13263 of 1997
Date of Decision: 23.09.2024

Ramesh Chander and others
.....Petitioners.
Versus
State of Haryana and others
.....Respondents.

CORAM: ***HON’BLE MR. JUSTICE G.S. SANDHAWALIA***
 HON’BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- None for the petitioners.

 Mr. Ankur Mittal, Addl. A.G, Haryana with
 Mr. Saurabh Mago, DAG, Haryana.

G.S. SANDHAWALIA, J.(Oral)

 In the present writ petition, the petitioners’ grievance is that there is no provision for adjudication of the title as the State of Haryana had amended the Haryana Village Common Lands (Regulation) Act, 1961 (for short ‘the 1961 Act’) by the Haryana Act No.9 of 1992.

2. It is, now, pointed out that Section 13A has been inserted in the 1961 Act by the Haryana Act No.9 of 1999, whereby it gives the right to any aggrieved person to file a suit before the Collector for adjudication as to whether the land or any other immovable property is *Shamlat Deh* or not. It is, thus, submitted that the instant petition has become infructuous.

3. Perusal of the file would go on to show that vide order dated



08.12.1997, this writ petition was ordered to be heard along-with another writ petition bearing **CWP No.13261 of 1997**, wherein also, apparently, the same issue had arisen and the said writ petition was disposed of having been rendered infructuous on account of insertion of Section 13A of the 1961 Act, vide order dated 19.11.1999 passed by the learned Single Judge.

4. The present writ petition as admitted on 11.03.1998 prior to the above-said amendment in the year 1999 by which the appropriate remedy has been provided subsequently.

5. Resultantly, we are of the considered opinion that the instant writ petition is rendered infructuous and is disposed of as such.

6. However, liberty is granted to the petitioners to seek their appropriate remedy in accordance with law.

(G.S. SANDHAWALIA)
JUDGE

September 23, 2024
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No