

**110 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

CWP-3651-2024

Date of Decision : 01.03.2024

SHRI NIWAS

....Petitioner

Versus

STATE OF HARYANA AND ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA**

Present : Mr. Divyam Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

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

SURESHWAR THAKUR, J. (Oral)

1. The present petitioner who is a member of Namdev Samaj (BC Samaj) becomes aggrieved from no action takings being made upon Annexure P-1. Consequently, they have through the institution of the instant writ petition before this Court, prayed for a mandamus being passed upon the respondent concerned, for granting lawful approval to Annexure P-1.
2. Annexure P-1, is a panchayat resolution whereby the Gram Sabha of the area concerned, has accepted proposal of the present petitioner for land becoming allotted to it for thereons a *Chopal* being constructed.
3. Though, ipso facto, the passing of panchayat resolution for the purpose (supra), did not vest any right in the present petitioner to raise a claim that thereby he is empowered to raise construction upon

2. Annexure P-1, is a panchayat resolution whereby the Gram Sabha of the area concerned, has accepted proposal of the present petitioner for land becoming allotted to it for thereons a *Chopal* being constructed.

3. Though, ipso facto, the passing of panchayat resolution for the purpose (supra), did not vest any right in the present petitioner to raise a claim that thereby he is empowered to raise construction upon

the lands declared as such in Annexure P-1, especially when an approval to the panchayat resolution is required to be meted by the competent approving authority. However, it appears that despite Annexure P-1, becoming drawn on 11.03.2020, yet the approving authority not granting any approval thereto.

4. Consequently, the rights if any which have been vested in the present petitioner through Annexure P-1, do not become clinchingly rested, wherebys the lack of prompt action takings thereons, by the competent authority, thus is required to be deprecated.

5. In sequel, the competent approving authority is directed to, in accordance with law, pass a speaking decision upon panchayat resolution Annexure P-1, but after hearing all affected persons concerned.

6. Disposed of alongwith all pending application(s), if any.

(SURESHWAR THAKUR)
JUDGE

(LALIT BATRA)
JUDGE

01.03.2024

kavneet singh

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