

129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9287-2024

Date of Decision:25.04.2024

Government Senior Secondary School, Kundli Petitioner

Versus

Municipal Committee, Kundli and othersRespondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vijay Deep Rathee, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for setting aside the impugned order dated 02.02.2024 (Annexure P-20) passed by respondent No.1 i.e. Secretary, MC Kundli, whereby the claim of the petitioner-School is rejected and in pursuance to that tender has been issued for construction of park on playground of School, respondent No.1 is constructing a park and a proposed sports stadium on the said land, which is illegal/arbitrary for reasons that respondent No.4 (i.e. then Gram Panchayat of village Kundli) passed resolutions dated 15.07.1996 (Annexure P-1) & 04.08.1999, whereby the said land has been donated, including the land which is subject matter of this petition to Education Department, Haryana to build it as a School building and playground and same was reserved for use as a School as evident from Appellate order dated 12.08.2008 (Annexure P-6) of learned District Judge, Sonapat and the school ground is already running and is in existence since 1999. Further prayer has been made to direct the respondent authorities not to interfere with the peaceful possession of the school ground and not to make unauthorized/illegal encroachment in school playground/prayer ground by force. Further prayer has been made to restrain the respondent authorities from constructing the park forcibly during the pendency of the present petition.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to the petitioner to avail alternative remedy as available to it under law.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for.

		(RAJESH BHARDWAJ)
25.04.2024		JUDGE
sharmila	Whether Speaking/Reasoned :	Yes/No
	Whether Reportable :	Yes/No