

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

207(2)

2025.PHHC.150834-DB



Date of decision: 03rd November, 2025

(1) LPA No.847 of 2017 (O&M)

Gram Panchayat, Bur Kotiyan, Tehsil Kalka District Panchkula

..Appellant

Versus

Karam Singh and others

..Respondents

(2) LPA No.1656 of 2018 (O&M)

State of Haryana and others

..Appellants

Versus

Karam Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sukesh Kumar Jindal, Advocate
for the appellants in LPA-847 of 2017 and
for respondent No.6 in CWP-20628 of 2024.

Mr. Sandeep Chhabra, Addl. AG Haryana
for respondents No. 3 to 7 (in LPA No.847 of 2017)
for appellants (in LPA No.1656 of 2018).

Mr. Sanjay Majithia, Sr. Advocate with
Mr. Sumit Sinha, Advocate for respondents.

HARSIMRAN SINGH SETHI, J(Oral)

1. In the present bunch of appeals, the challenge is to the order dated 31.01.2017 passed by the learned Single Judge in CWP-9866-2009 whereby order dated 20.12.1984 regarding allotment of balance land was upheld.

2. Learned counsels appearing on behalf of Gram Panchayat as well as the State who are the appellants before this Court, submit that a finding has been recorded by the learned Single Judge, vide order dated 31.01.2017, that the allotment in favour of the private respondents dated 20.12.1984 was in the notice of the Gram Panchayat and the said order has never been challenged.

3. Learned counsel submits that by way of application CM-5190-CWP of 2024 in LPA-847 of 2017, the order passed by the Chief Settlement Commissioner, Haryana, dated 17.03.2016 has been brought on record as Annexure A-1 whereby the said order dated 20.12.1984 for allotment of land in question in favour of the private respondents has already been set aside and therefore, the order passed by the learned Single Judge, which is impugned in the present bunch of appeals, is factually incorrect and therefore, the case needs to be remanded back to the learned Single Judge, for fresh adjudication on the basis of the actual/correct facts.

4. Learned Senior Counsel appearing on behalf of private respondents has not been able to dispute the factum that particular facts which have been made basis for granting relief by learned Single Judge, is incorrect. That being so, the order passed by the learned Single Judge, dated 31.01.2017 is set aside and the case is remanded back to the learned Single Judge, for fresh adjudication.

5. Though this Court would have also adjudicated upon the matter, but the order dated 17.03.2016 by which the allotment dated 20.12.1984 has been set aside has also been impugned by the private respondent by way of filing CWP No.14289 of 2019 which is also pending before the learned Single Judge.

- 6. Pending application(s), if any, stands disposed of.
- 7. Photocopy of this order be placed on the file of another connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

03rd November, 2025
reema

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No