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RSA-2202-2005 (O&M)

Anita Gupta and another Vs. State of Haryana and others

Present:- Mr.Rajinder Goel and Mr.Aniket Aggarwal, Advocates for the appellants.

Mr.Jasvir Singh, AAG Haryana with Mr.Lokesh Kumar, Naib Tehsildar, Rania and Mr.Bunty Patwari, o/o DC Sirsa.

Midhu Ram filed Writ petition bearing CWP No.3142-1986 which was remitted back to the Collector (Agrarian) on 21.10.2011 for fresh consideration after notice to all the parties.

State counsel was making reference to letter dated 10.02.2026 of Sub Tehsildar Surplus Sirsa stating that surplus land of the present appellant in this appeal, was also in dispute in CWP No.3142-1986 and the proceedings are going on before the Collector.

Counsel for the appellants states that on account of stay granted in this appeal, case is not proceeding further. On 04.08.2005, the following order was passed by the Hon'ble High Court.

“Learned counsel for the appellants submits that the present suit was filed with a simple prayer that till the matter wasw finally decided, the area allotted to Balbir Singh, which was subsequently declared as surplus vide order dated 08.02.1984 should not be allowed to be utilized by the prescribed Authority. According to the learned counsel, the Courts below have failed to appreciate the aforementioned point and dismissed the suit.

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Till further orders are passed, utilization of the land in question shall remain stayed, awaiting appearance of the respondents, who shall be at liberty to apply for modification of this order provided they are able to make out sufficient grounds for doing so.”

Counsel for the appellants states that this appeal be disposed of ordering that utilization of the land in question shall remain stayed till the passing of final order by the Collector.

State counsel has not raised any objection and is agreeable to the proposal made by the counsel for the appellants.

Accordingly, this appeal is disposed of keeping in view of order dated 04.08.2005 passed by the Hon’ble High Court ordering that utilization of the land in question shall remain stayed till the passing of final order by the Collector. The Collector is directed to expedite the proceedings.

(JASBIR SINGH)
PRESIDENT

(L.N.MITTAL)
MEMBER

01.05.2026
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