

CWP-PIL-193-2019 (O&amp;M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARHCWP-PIL-193-2019 (O&M)  
Date of Decision: 18.03.2025

SHIV DUTT AND ANOTHER

.. Petitioners

Vs.

UNION OF INDIA AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ashish Gupta, Advocate for the petitioners.

Mr. Pankaj Gupta, Senior Panel Counsel  
for respondent No.1-UOI.

Mr. Deepak Balyan, Addl. A.G., Haryana.

...

**SHEEL NAGU, CHIEF JUSTICE, (ORAL)**

1. Present petition has been filed as a Public Interest Litigation praying for the following relief:

*“i) Issuance of an appropriate writ, order or direction, especially in the nature of mandamus directing the official respondents to protect/preserve and to ensure that the land measuring 23 kanal 19 marla comprised in khasra no.238 situated in the revenue estate of village Rakshera, Tehsil Sarnalakhia, Distt. Panipat be retained as Gair Mumkin Johar in compliance with the directions given by Hon'ble Supreme Court of India in case titled as "Jagpal Singh and others Vs. State of Punjab and others" reported in 2011 (11) SCC 396.*

*ii) further for issuance of the writ, order or direction especially in the nature of mandamus that pond in question be not permitted to be used for any other purposes, then for the purpose for which it is kept.*

*iii) further for issuance of writ, order or direction especially in the nature of mandamus directing the official respondents to protect, clean, maintain and recharge the same as gair mumkin Johar for general use of village community as Gair mumkin pond;*

*iv) further for issuance of writ, order or direction in the nature of mandamus that necessary corrections be made in the revenue record by re-entering the pond in question in the name of gram panchayat.”*

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2. During the course of arguments, it has transpired that the Gram Panchayat has filed a Civil Suit bearing No.317 of 2023 seeking a declaration that the erroneous entries in the revenue record ought to be declared null and void. The said suit is pending consideration before the learned Addl. Civil Judge (Sr. Divn.), Samalakha, District Panipat.

3. In view of the above, it is obvious that the Gram Panchayat has taken up the cause as raised by the petitioner (herein), therefore, this Court need not pursue this petition leaving it to the Civil Court to decide in accordance with law.

4. It is expected that the Civil Suit bearing No.317 of 2023 shall be decided as expeditiously as possible.

5. Petition is disposed of.

**(SHEEL NAGU)**  
**CHIEF JUSTICE**

**18.03.2025**

*Jasmine Kaur*

**(SUMEET GOEL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes No  
Yes No