

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal Nos. 19795-19826 of 2017
(arising out of SLP(C) Nos. 3979-4010/2015)

VINOD KUMAR ETC. ETC.

Appellants

VERSUS

ASSISTANT COLLECTOR, IST GRADE,
KURUKSHETRA AND ORS.

Respondents

WITH

Civil Appeal Nos. 19827-19828 of 2017
(arising out of SLP(C) Nos. 4012-4013/2015)

Civil Appeal No. 19829 of 2017
(arising out of SLP(C) No. 4014/2015)

O R D E R

Leave granted.

By this batch of appeals, the assail is to various orders passed by the Division Bench of the High Court of Punjab and Haryana at Chandigarh in a series of writ petitions and review applications, wherein the grievance was identical.

The appellants, who are residents of village Ismailabad, Tehsil Thanesar, District Kurukshetra, Haryana, had taken possession of land owned by Gram Panchayat, ranging between 100 to 200 square yards. The total land in their possession is 3 kanals and 4 marlas. As the facts would show, the Gram Panchayat passed a resolution in favour of the appellants, but the same was nullified, as there was no approval from the competent authority. The matters travelled to the High Court more than once and eventually, by the

impugned orders, the High Court directed the Deputy Commissioner, Kurukshetra to get market value of the land assessed and convey it to the writ petitioners and upon calculation, so made, the writ petitioners were directed to deposit the amount with the Gram Panchayat within one month. The High Court has further directed that if any amount so deposited earlier by any of the writ petitioners was not refunded and was still lying with the Gram Panchayat, the same would be adjusted towards price of the land.

It is contended by Mr. Neeraj Kumar Jain, learned senior counsel appearing for the appellants that the appellants are in possession of land for a long period and the aforesaid directions by the High Court will break them financially and they will not be in a position to take a stand. The said stance of Mr. Jain was seriously controverted by Mr. Ajay Bansal, learned Additional Advocate General for the State of Haryana. Mr. Jain, learned senior counsel would also further contend that the State Government, at one point of time, had formulated a policy with regard to settlement of this land at certain price. We do not intend to say anything about the said policy. Suffice it to direct the Government that the amount shall be collected as per the policy, if it is invoked. When we say so, it also means the entitlement of the appellants to be governed by the policy. The price determination shall be intimated to each of the appellants, which shall be paid within a period of three months therefrom. It is, however, made clear that the price determination should be treated as final, as these kinds of litigations are not to be allowed to continue in Courts. If the appellants are really interested to retain the possession, they must pay the amount, failing which they shall be evicted as per law.

In view of the aforesaid, the appeals are allowed to

the extent indicated above. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[A.M. Khanwilkar]

.....J.
[Dr. D.Y. Chandrachud]

New Delhi;
November 24, 2017.

ITEM NO.6

COURT NO.1

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) Nos. 3979-4010/2015

(Arising out of impugned common final judgment and order dated 03-07-2013 in CWP Nos. 9790/1995, 12302/1993, 1872-A/1994, 9787-89/1995, 9791/1995, 13075/1995, 13078/1995, 13090/1995, 13091/1995 and 16969-76/1995, and impugned final judgment and orders all dated 09-05-2014 in RA Nos. 207/2014 in CWP No. 9789/1995, 208/2014 in CWP No. 16972/1995, 210/2014 in CWP No. 9790/1995, 212/2014 in CWP No. 13090/1995, 214/2014 in CWP No. 16970/1995, 216/2014 in CWP No. 16975/1995, 217/2014 in CWP No. 16973/1995, 218/2014 in CWP No. 9788/1995, 219/2014 in CWP No. 13091/1995, 220/2014 in CWP No. 16971/1995, 221/2014 in CWP No. 16976/1995, 231/2014 in CWP No. 9791/1995, 232/2014 in CWP No. 13078/1995, and 233/2014 in CWP No. 9787/1995 passed by the High Court Of Punjab & Haryana At Chandigarh)

VINOD KUMAR ETC. ETC.

Petitioners

VERSUS

ASSISTANT COLLECTOR, IST GRADE,
KURUKSHETRA AND ORS.

Respondents

WITH

SLP(C) Nos. 4012-4013/2015 (IV-B)
SLP(C) No. 4014/2015 (IV-B)

Date : 24-11-2017 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s)

SLP 4014/2015 Mr. Ajay Kumar Visen, AOR
Dr. Monika Gusain, AOR
Mrs. Veena Bansal, Adv.
Mr. Gaurav Yadav, Adv.

SLP 3979-4010/2015, Mr. Neeraj Kumar Jain, Sr. Adv.
SLP 4012-13/2015 & Mr. Sanjay Singh, Adv.
SLP 4014/2015 Mr. Umang Shanker, Adv.
Mr. Siddharth Jain, Adv.
Mr. Aniket Jain, Adv.
Mr. U.S. Prasad, Adv.

For Respondent(s)

SLP 3979-4010/2015

& SLP 4012-13/2015

Mr. Ajay Bansal, AAG, Haryana

Mr. Sanjay Kumar Visen, AOR

Mrs. Veena Bansal, Adv.

Mr. Gaurav Yadav, Adv.

Mr. Dheeraj Gupta, Adv.

Mr. Anil Kumar, Adv.

Mr. Jai Prakash, Adv.

Dr. Kailash Chand, AOR

Mr. Umang Shankar, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeals are disposed of in terms of the signed order.

Pending interlocutory applications, if any, stand disposed of.

(Deepak Guglani)
Court Master

(H.S. Parasher)
Assistant Registrar

(Signed order is placed on the file)