



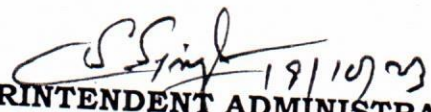
**OFFICE OF DIRECTOR GENERAL SECONDARY EDUCATION
HARYANA PANCHKULA**

Order No. 10/1-2021 Admn(4)

Dated, Panchkula the 28/9/2023

A copy of letter No.655-R-4-2023/8833 dated 28.09.2023 received from Additional Chief Secretary to Government Haryana, Revenue and Disaster Management Department regarding CWP No. 8353 of 2023 Ram Singh Vs. State of Haryana & ors.- Status quo in the pending proceedings and stay on the implementation of notification dated 23.08.2022 is forwarded to the following for information and strict compliance:-

1. Director Elementary Education Haryana, Panchkula.
2. Director SCERT Haryana, Gurgram.
3. All District Education Officer's in the State.
4. All District Elementary Education Officer's in the State.
5. All Principal DIET's/BITE's in the State.
6. All the Headquarter Officers.
7. Registrar Education (Secondary).
8. All Superintendents Headquarter.
9. Superintendent Accounts (HQ).
10. Superintendent Admn. (Ele.)
11. PA/DSE.
12. PA/ Additional Director Administration.
13. PA/Joint Director (MSS).
14. PA/ Joint Director Admn.
15. PA/ Additional Director Academic.
16. IT Cell (HQ) for website.


SUPERINTENDENT ADMINISTRATION
for DIRECTOR SECONDARY EDUCATION
HARYANA PANCHKULA



Department of Revenue & Disaster Management

(Government of Haryana)

New Haryana Civil Secretariat Building, Sector 17, Chandigarh-160017

7685 Ad(4)
16/10/2023

16/10/2023

Most Immediate Court Case

Email Message

Memo No. 655-R-4-2023/8833
Chandigarh dated the 28.09.2023

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Heads of Departments in Haryana. (School Education Deptt)
3. The Director Land Record, Haryana.
4. All the Divisional Commissioners in Haryana.
5. All the Deputy Commissioners in Haryana.
6. All the District Revenue Officer in Haryana.

Subject:- CWP No. 8353 of 2023 Ram Singh Vs. State of Haryana & ors- Status quo in the pending proceedings and stay on the implementation of notification dated 23.08.2022.

Sir/Madam

I am directed to refer to this office memo no 1537-R-4-2022/11416, dated 10.10.2022 on the subject noted above and intimate that the State Government vide notification dated 23.08.2022 had notified "The Haryana Dholidar, Butimar, Bhonededar and Muqararidar (Vesting of Proprietary Rights) Haryana Amendment Act, 2018. by which amendment were made in Sub-Section (4) of Section 1 of the Principal Act, 2010. The amendment has been made effective retrospectively w.e.f. 09.06.2011 i.e. the date of commencement of the Principal Act, 2011. The amended provision is reproduced as below :-

"This Act shall be applicable to Dholidar, Butimar, Bhonededar and Muqararidar or any other similar class or category of persons which the State Government may notify in the Official Gazette, of land belonging to private individuals/entities only and will not be applicable to lands owned or deemed to have vested in the Local Bodies i.e Panchayat deh, Municipalities etc. & lands owned by any Government Department, Board or Corporation."

Above amendment notification has been challenged by the petitioner Sh. Ram Singh in CWP No. 3958-2023 for declaring the said notification dated 23.08.2022 as null and void and ultra vires. Various other writs have also been filed challenging the same and such writs have been clubbed for adjudication. Hon'ble High Court of Punjab & Haryana in above mentioned CWP has passed orders dated 21.04.2023 which is as under:-

"Mr. P.P. Chahar, DAG, Haryana, waives service of notice, on behalf of the respondents, and, seeks time to file reply to the petition. List, as prayed for along with CWP-3958-2023, on 24.04.2023. In the meantime, the parties are directed to maintain status quo, and the notification dated 23.08.2022 shall remain stayed till further orders".

You are, therefore, requested to get the above mentioned orders passed by Hon'ble High Court of Punjab & Haryana in the knowledge of all dealing concerned with the matters/cases of The Haryana Dholidar, Butimar, Bhonededar and Muqararidar (Vesting of Proprietary Rights) Act, 2010 and amendment Act, 2018 for strict compliance.

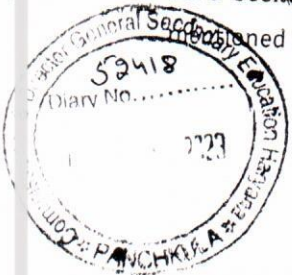
Chhanna
Superintendent (LR),

for Additional Chief Secretary and Financial Commissioner to Govt., Haryana, Revenue and Disaster Management Department.

Cont.....2

13/10/23
A/BDA
S. A. J.

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Legal Cell





Department of Revenue & Disaster Management

(Government of Haryana)

New Haryana Civil Secretariat Building, Sector 17, Chandigarh-160007

-2-

A copy is forwarded to the Chief Secretary, Haryana for Information.

Superintendent (LR),

for Additional Chief Secretary and Financial Commissioner to
Govt., Haryana, Revenue and Disaster Management Department.

To

The Chief Secretary, Haryana,
Haryana Civil Secretariat, Sector-1, Chandigarh.

U.O. No. 655-R-4-2023/1354

Chandigarh dated the 28.09.2023

Endst. No. 655-R-4-2023/8834

Chandigarh dated the 28.09.2023

A copy is forwarded to the Advocate General, Haryana w.r.t. their memo No. 218661, dated 04.08.2023, for information.

Superintendent (LR),

for Additional Chief Secretary and Financial Commissioner to
Govt., Haryana, Revenue and Disaster Management Department.

Endst. No. 655-R-4-2023/8835

Chandigarh dated the 28.09.2023

A copy is forwarded to the Legal Remembrancer and Administrative Secretary to Government, Haryana, Law and Legislative Department for information and necessary action.

Superintendent (LR),

for Additional Chief Secretary and Financial Commissioner to
Govt., Haryana, Revenue and Disaster Management Department.

Endst. No. 655-R-4-2023/8836

Chandigarh dated the 28.09.2023

A copy is forwarded to the following for information and necessary action:-

1. Registrar, Peshi Branch, FCR's office.
2. Superintendent, Stamp & Registration Branch.

Superintendent (LR),

for Additional Chief Secretary and Financial Commissioner to
Govt., Haryana, Revenue and Disaster Management Department.

1868

OUT TODAY
MOST URGENT
FIXED FOR 13.2.2024
From

637
Date 22/8/23



- To
1. The Advocate General, Haryana, Chandigarh.
 1. The Chief Secretary to Govt. Haryana, Chandigarh.
 2. The Additional Chief Secretary to Govt. Haryana, Revenue and Disaster Management Department, Haryana, Chandigarh.
 3. The Commissioner, Gurugram Division, Gurugram.
 4. The Deputy Commissioner, Gurugram.
 5. The Municipal Corporation, Gurugram through its Authorised Officer.

Memo No. 48662 Dated 4/8/23
Sub CWP No. 8353 of 2023
Ram Singh Vs. State of Haryana and others.


The petitioner filed the preset writ petition for declaring the notification dated 23.8.2022 issued vide Haryana Act No. 26 of 2022 under the Haryana Dhholidar, Butimar, Bhondedar and Muqararidar (vesting of Proprietary Rights) Amandment Act, 2018 (P-5) asnull and void and ultra vires, as the said amendment has been effected retrospectively and also for setting aside the letter dated 10.10.2022 (P-6) issued by respondent no. 2 whereby all rights vested in the Dhholidars have been declared illegal ab-initio.

- On 21.4.2023 the following order was passed:-
1. Notice of motion.
 2. Mr. P.P. Chahar, DAG, Haryana, waives service of notice, on behalf of the respondents, and, seeks time to file reply to the petition.
 3. List, as prayed for, along with CWP-3958-2023, on 24.04.2023.
 4. In the meantime, the parties are directed to maintain status quo, and, the Notification dated 23.8.2022 shall remain stayed till further orders."

The aforementioned case came up for hearing before Hon'ble Division Bench comprising of Hon'ble Mr. Justice Sureshwar Thakur and Hon'ble Mr. Justice Kuldeep Tiwari on 3.8.2023. On the date of hearing no reply has been filed in the Court. The Hon'ble Court has adjourned the case 13.2.2024 for filing reply.

Accordingly, you are hereby advised to ensure compliance of the above said order dated 21.4.2023 and to issue appropriate instructions/directions forthwith so as to ensure filing of the appropriate written statement/reply well in advance of the next date of hearing i.e. 13.2.2024 after getting it vetted from this office, failing which, if any adverse order is passed, this office shall not be responsible.

This is for your information and necessary action.


(Ankur Mittal)
Addl. Advocate General, Haryana.
4.8.2023

109 CWP-8353-2023

RAM SINGH AND ANOTHER
V/S
STATE OF HARYANA AND OTHERS

Present: Mr. Atul Yadav, Advocate
for the petitioners.

1. Notice of motion.
2. Mr. P.P. Chahar, DAG, Haryana, waives service of notice, on behalf of the respondents, and, seeks time to file reply to the petition.
3. List, as prayed for, along with CWP-3958-2023, on 24.04.2023.
4. In the meantime, the parties are directed to maintain status quo, and, the Notification dated 23.8.2022 shall remain stayed till further orders.

(SURESHWAR THAKUR)
JUDGE

April 21, 2023
devinder

(KULDEEP TIWARI)
JUDGE