

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

**CWP No. 11819 of 2015
Decided on : 29.05.2015**

Shamsher Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE REKHA MITTAL**

PRESENT: Mr. P.S. Dhaliwal, Advocate for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *mandamus* directing the respondents for releasing the land of the petitioners from their illegal possession, which is not part and parcel of acquisition proceedings or in alternation to give the petitioners compensation of the land which is illegally taken by the respondent Department along with trees bore well and room etc. with 24% interest from the date of issuance of notification.

2. For writ of *mandamus*, it is essential for the petitioners to first raise a notice of demand as held by Hon'ble the Supreme Court of India in ***Saraswati Industrial Syndicate Ltd. etc. Vs. Union of India AIR 1975 SC 460.***

3. At this stage, learned counsel for the petitioners states that he may be allowed to withdraw the petition with liberty to the petitioners to first approach the authorities by submitting a notice of demand to them.

4. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to remedies, if any, as may be available in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(REKHA MITTAL)
JUDGE**

May 29, 2015