

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

CWP No. 1399 of 2015 (O&M)

Date of decision: 30.06.2015

Munsha Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vivek Singla, Advocate for respondent No.5.

Mr. N.S. Sodhi, Advocate.

Mr. P.P.S. Duggal, Advocate
for the application in CM No. 7644-CWP-215.

Jitendra Chauhan, J. (Oral)

CM-7644-CWP-2015

The learned counsel seeks permission to withdraw the instant application.

Dismissed as withdrawn.

CWP-1399-2015

The notice of motion in the present case was issued on 04.03.2015, on the statement made by learned counsel for the petitioner that he is in cultivating possession of the land owned by the Union of India. He had made a specific statement that he does not claim the

ownership or any interest in the land in question.

Vide Annexure P-4, issued by respondent No.3, only the owners were permitted to enter beyond border fencing wire raised by UOI, the petitioner being not owner of the land was not allowed to visit the land beyond border fencing wire. Now the learned counsel for the petitioner states that in view of the order passed by this Court on 28.04.2015, the petitioner has harvested the crop.

The learned counsel for respondent No.5-UOI informs that the land in question has now been transferred to the State.

The learned State counsel states that the State is the absolute owner of the land in question. The State has challenged the decree allegedly obtained by the petitioner in connivance with others encroachers without impleading the State as one of the respondent. The decree dated 03.06.2011 was challenged by the State wherein the operation of the judgment and decree has been stayed after filing of the present writ petition.

Heard.

The limited purpose of filing the present petition is fully achieved, therefore, the present petition has been rendered infructuous.

30.06.2015

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(JITENDRA CHAUHAN)
JUDGE