

CWP No. 19691-2013

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

CWP No. 19691-2013

Date of Decision: 13.01.2015

Partap Singh and others

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. R.N.Lohan, Advocate,
for the petitioners.

Mr. Sandeep S. Mann, Sr. DAG, Haryana.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for quashing the order dated 26.04.2012 (Annexure P-5) passed by respondent no.4-Tehsildar Gohana and letter dated 13.09.2012 (Annexure P-6) issued by respondent no.2.

In short, facts are to the effect that the Government had issued notifications dated 23.02.1973 (Annexures P-2 and P-3). In pursuance of the notifications, letter (Annexure P-5) was issued. Thereafter, letter dated 13.09.2012 (Annexure P-6) was issued by the Divisional Forest Officer, Sonapat for demarcating the area. In pursuance of notice of motion, respondent no.2 and respondents no.3 and 4 have filed their separate reply. In reply filed by respondents no.3 and 4, it is mentioned

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that order dated 26.04.2012 (Annexure P-5) passed by respondent no.4 has been cancelled by Deputy Commissioner, Sonapat, vide letter dated 13.01.2014 (Annexure R-1).

Since the order dated 26.04.2012 (Annexure P-5) passed by respondent no.4-Tehsildar Gohana has been cancelled, letter dated 13.09.2012 (Annexure P-6) passed by respondent no.2 for demarcation, cannot be sustained. In view of above, letter dated 13.09.2012 (Annexure P-6) is set aside. However, this will not prevent the State from proceeding in accordance with law.

Disposed of in the aforementioned terms.

13.01.2015

parveen kumar

(Paramjeet Singh)
Judge