

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

**RA-CW-7 of 2015 in
CWP No. 20399 of 2009
Date of Decision: January 28, 2015**

K.D. Sharma

... Applicant-Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. C.B. Goel, Advocate,
for the applicant-petitioner.

Paramjeet Singh, J. (Oral)

Instant review application has been filed under Order 47 Rule 1 read with Sections 152 and 153 CPC for reviewing judgment dated 23.12.2014 passed by this Court in CWP No. 20399 of 2009.

Applicant-petitioner is aggrieved against the later part of judgment dated 23.12.2014. Learned counsel for the applicant-petitioner states that it has been erroneously recorded by this Court that demolition at the spot shall be carried out in view of Annexure R-9 whereby the demarcation under the supervision of Deputy Commissioner has been carried out third time.

So far as the demarcation is concerned, the same has been

carried out keeping in view the masavi and field book which was specifically ordered by this Court vide order dated 14.11.2014 and the same has also been videographed.

Today, an offer has been given to the petitioner that a direction can be issued to the Deputy Commissioner and other authorities that before carrying out operation with regard to restoration of Ambala-Jagadhri road to its original position, the measurement of the area of the petitioner can be completed as per sale deed/document of title and if more area other than shown in the demarcation is found, the same would also have to be vacated by the petitioner. The petitioner should produce the sale deed before the authorities so that his area at the spot may be completed. However, for the reasons best known to the petitioner, this offer has not been accepted, which otherwise is most justifiable as the rights of the petitioner would be fully protected.

At this stage, learned counsel for the applicant-petitioner states that he may be permitted to withdraw the instant review application with liberty to avail his remedy available to the applicant-petitioner in accordance with law.

Dismissed as withdrawn with the aforesaid liberty.

January 28, 2015
vkd

[Paramjeet Singh]
Judge