

**CM-13354-CWP-2016 in/and
CWP-12881-2016 (O&M)**

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

**CM-13354-CWP-2016 in/and
CWP-12881-2016 (O&M)**

Date of Decision: November 29, 2016

Bhupinder Singla and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Aashish Aggarwal, Sr.Advocate with
Mr.Manvinder Dalal, Advocate
for the petitioners.
Mr.P.S.Bajwa, Addl.AG, Punjab.

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SURYA KANT, J.

Petitioners have filed the instant writ petition seeking a direction to the State of Punjab for acquisition of their land situated in the revenue estate of village Bakarpur, Tehsil Zirakpur, District SAS Nagar, Mohali. The petitioners have sought such unusual relief alleging that the authorities have already taken possession of their land where mining activities are going on.

The respondents have filed their written statement controverting the petitioners' allegations. According to them the petitioners themselves have been carrying out illegal mining and on account of deep excavation at the site their land is now in the danger of being flooded. It is further stated that the authorities have proposed to construct a dam on the land which has already been acquired. It is further averred that the authorities have, as of now, no plan to acquire the petitioners' land.

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Having heard learned counsel for the parties and keeping in view the stand taken by the respondents that they do not require petitioners' land and there is no proposal of its acquisition as of now, we dispose of this writ petition with a direction that the authorities or the Mining Department shall not allow to carry out any mining activity on the land of the petitioners and their peaceful possession shall not be disrupted in any manner except in accordance with law.

**(SURYA KANT)
JUDGE**

November 29, 2016
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**(SUDIP AHLUWALIA)
JUDGE**

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |