

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.15218 of 2015

Date of Decision:02.05.2016

Usha Rani and another

....petitioners

Versus

State of Punjab and others

.....respondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI**

Present: Mr.V.K.Jindal, Advocate
for the petitioners

Mr.Rajinder Goyal, Addl.AG Punjab

Mr.Balwinder Singh, Advocate
for respondents No.2 and 3

S.J.VAZIFDAR, ACTING CHIEF JUSTICE (ORAL):

The petitioners seek an order directing the Punjab Urban Development Authority (PUDA) and its Estate Officer, Bathinda Development Authority, Bathinda, to hand over possession of a plot allotted to them as per the terms of an allotment letter. The petitioners have also sought a writ directing the respondents to execute the conveyance deed in respect of the said plot. The respondents have no objection to the prayer being granted. Respondents No.2 and 3, in fact, state that they are willing to hand over the possession but the only impediment is the encroachments. Respondents No.2 and 3 state that they will remove the encroachments but they require police assistance for that. Respondents No.2 and 3 are always at liberty to apply to the authorities concerned for such assistance. It is also stated on behalf of respondents No.2 and 3 that the encroachers had filed a suit but that suit was dismissed and that appeal against the judgment has also been dismissed.

The petition is therefore disposed of by recording the above

statements made on behalf of respondents No.2 and 3. Further, respondents No.2 and 3 are always at liberty to apply to the authorities concerned for any assistance.

It is made clear that this order, however, does not affect the rights, if any, of any third party including of the alleged encroachers as they are not before us. If for any reason, the respondents are unable to hand over the possession of the plot to the petitioners by 31st October, 2016, the petitioners are at liberty to apply for an alternate plot or adopt any other proceedings on account thereof.

**(S. J. VAZIFDAR)
ACTING CHIEF JUSTICE**

**(ARUN PALLI)
JUDGE**

May 02, 2016
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