

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

CWP No.18802 of 2014(O&M)

Date of Decision: 29.11.2016

AMARJEET KAUR AND ANR

....Petitioners

Versus

STATE OF PUNJAB AND ANR

...Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE SNEH PRASHAR**

Present: Mr. S.P. Soi, Advocate for the petitioners.

Mr. Rajinder Goyal, Addl. A.G., Punjab.

Mr. Ashok Bazaz, Advocate for respondent No.2.

AJAY KUMAR MITTAL, J.(Oral)

The present petition filed under Articles 226/227 of the Constitution of India is for issuance a writ of certiorari for quashing the impugned action of the respondents in illegally demolishing the structures of the petitioners existed on unacquired land of the petitioners as per demarcation report Annexure P-6 dated 20.12.2011 shown in blue colour in Annexure P-8 dated 04.08.2012 and thereafter utilizing the same by amalgamating the land in the road and its berms to the road constructed from Kapurthala to Basti Mithu and further for issuance of a writ of mandamus to hand over the possession of the un-acquired land to the petitioners shown in blue colour in Annexure P-8 dated 04.08.2012 and if not feasible due to construction of the road to make payment of compensation for that as per share of the petitioners and to pay compensation for illegal demolition of the structures of the petitioner to the extent of ₹10 Lac each without any show cause notice or granting opportunity of hearing and have amalgamated the land of the petitioners in

the berm of the road leading from Kapurthala road to Basti Mithu, Jalandhar.

2. Learned counsel for the petitioners submits that in view of written statement filed certain facts are required to be established by way of leading evidence by approaching the Civil Court. Accordingly, prayer was made that he may be allowed to withdraw the writ petition with liberty to the petitioners to approach the Civil Court raising all the pleas sought to be raised in the present petition.

3. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to the remedies available to them in accordance with law.

[AJAY KUMAR MITTAL]
JUDGE

November 29, 2016
rashmi

[SNEH PRASHAR]
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable?

Yes/No