

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-21123-2016

Date of decision: 06.10.2016

Nand Kishore and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Vikram Singh, Advocate for the petitioners.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioners have approached this Court under Article 226/227 of the Constitution of India *inter alia* seeking a direction to the respondents to construct a wall in front of the houses of the petitioners after leaving 10 feet passage and further not to dig the street in front of their houses.

2. It was not disputed that certain questions of fact are involved in this case which are required to be established by leading cogent and convincing evidence. Accordingly, learned counsel for the petitioners submitted that he may be allowed to withdraw the instant petition, with liberty to the petitioners to approach the Civil Court for the relief claimed in the present writ petition.

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 Dismissed as withdrawn.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

**(AJAY KUMAR MITTAL)
JUDGE**

October 06, 2016

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No