

Sr. No.133

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

CWP No. 24280 of 2016

Date of decision:28.11.2016

Meetu Hastir and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. S.L.Chander Shekhar, Advocate
for the petitioners.

Rakesh Kumar Jain, J.(Oral)

This petition is filed for seeking mandamus to respondents No. 3 to 8 to decide the representation dated 27.07.2016(Annexure P-12) and to take action for the removal of encroachers from their land.

Counsel for the petitioners has submitted that the petitioners are the victims of terrorism as they had to flee from Amritsar to Delhi and now they have come to know that their land, left behind by them, has been encroached upon by some unscrupulous persons. He had made representation to the Civil Administration as well as to the police for removal of the alleged encroachment and since the representation has not been decided, therefore, he has to approach this Court for seeking a mandamus.

I have heard learned counsel for the petitioners and after examining the available record, am of the considered opinion that in such cases where it is alleged that the land has been illegally occupied, the only course open to him is to file a suit for possession and not by way of a writ petition. Dismissed.

**[Rakesh Kumar Jain]
Judge**

28th November, 2016

Shivani Kaushik

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No