

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

CWP No.6886 of 2014
Date of Decision:08.04.2016

Virinder Singh and anotherPetitioners

Versus

Mr.State of Punjab and others Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.H.C. Arora, Advocate, for the petitioners.

Mr.Nilesh Bhardwaj, DAG, Punjab.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed for seeking a mandamus directing the respondents to remove their possession from the portion of construction raised by them of Kothi of Tehsildar, Kharar on the land of the petitioner and/or in alternative prayed that the petitioner may be given the market price of land underneath the constructed area, which is alleged to have been encroached by the respondents.

After notice, the respondents filed reply and disputed the ownership of the petitioner over the land in question. Once the very basis of the petition is disputed, the only way out with the petitioner to file a suit for declaration and injunction before the civil Court where he would prove his title over the land in question, which is alleged to have been allotted to him out of the evacuee land being a member of the Scheduled Caste/Backward Class.

Learned counsel for the petitioner has thus prayed for withdrawal of the petition in order to file a civil suit, in accordance with law.

Dismissed as withdrawn.

Liberty granted.

08.04.2016

Vivek

VIVEK PAHWA
2016.04.11 10:28
I attest to the accuracy and
authenticity of this document
High Court Chandigarh

(RAKESH KUMAR JAIN)
JUDGE