

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

**CWP No.10894 of 2015
Date of Decision.17.05.2017**

Rakesh Kumar s/o Sh. Lachman SinghPetitioner

Vs

State of Punjab and othersRespondents

Present: Mr. J.S. Dahiya, Advocate
for the petitioner.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. G.S. Attariwala, Advocate
for respondent No.7.

Mr. J.S. Brar, Advocate
for respondent No.8.

Mr. A.K. Khunger, Advocate
for respondent Nos.9 and 10.

Mr. Naresh Kaundal, Advocate
for respondent No.12.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The dispute, according to the petitioner, is with regard to raising construction by respondent Nos.8 to 12 against the site plan which has been rebutted by learned counsel appearing for them, much less, by the Municipal Committee. Though this Court appointed the Local Commissioner, report of whom has come on record and the report is to the effect that the parties have raised construction in excess of the ownership.

In my view, all these points/facts are disputed, which have to be proved by leading direct and cogent evidence but not in the writ jurisdiction. The petitioner is at liberty to file civil suit and take the benefit

pressing into service the admission and denial and leading evidence on the issues on which the parties are at variance.

The writ petition stands disposed of in the aforementioned terms.

(AMIT RAWAL)
JUDGE

May 17, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No