

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 20893 of 2015 (O&M)
Date of Decision: 20.12.2017

Govt. of India Press, Nilokheri, Karnal

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU, JUDGE.

Present : Mr. Chetan Mittal, Senior Advocate with
Mr. Deepak Malhotra, Advocate, for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

Mr. Vikram Singh, Advocate, for respondent No.5.

Mr. Parminder Singh, Advocate, for respondent Nos. 6 to 15.

S.J.VAZIFDAR, CHIEF JUSTICE (ORAL)

The petition is disposed of with the consent and at the request
of the parties by the following order:-

"The respondents admit the ownership and possession of the Union of India in respect of land measuring 5 acres 6 kanals including the portion of road and the government press which fall within that area and have no objection to the Union of India using the same for whatever purpose and from enclosing the same by constructing a wall or otherwise to make it one chunk of land. This land is shown in bold red line delineated by the letters 'A' to 'E' on the map/plan tendered in Court and marked 'X'.

2. The ownership of the plot of land admeasuring 4 Kanals 18 Marlas delineated by the letters 'BFGC' on the plan is disputed between the Union of India and the State of Haryana.

The nala shown on the plan falls within this area of 4 Kanals 18 Marlas and the portion of land to the right of nala shown on the plan is not

the subject matter of these terms as the parties agree that the same belongs to the National Highway Authority of India. Similarly the portion of land on the plan to the left of the letters A and E belongs to the State of Haryana.

3. It is agreed between the Union of India and the State of Haryana that they will adopt appropriate proceedings for having the ownership/title thereto determined. The Union of India and the State of Haryana agree and undertake that in the event of the Union of India establishing any right title or interest in respect of this plot of land, the State of Haryana shall acquire the same in accordance with law forthwith upon such determination and subject to any challenge thereto only. In view of this agreement and the undertaking, the Union of India agrees to the State of Haryana forthwith taking possession of this part of the land admeasuring 4 Kanals 18 Marlas delineated by the letters BGFC on the plan and dealing with the same to the exclusion of the Union of India as provided hereinafter.

4. The parties have tendered another plan which is taken on record and marked 'X-1' with the title "*Shops and Petrol Filling Station situated near G.T.Road 143.255 KM Miles Stone, Nilokheri, District Karnal*". It is agreed between the parties that the construction, if any, put up by any party including respondent Nos. 6 to 16 shall be only at the location and as indicated in this plan. It is further agreed that the construction shall be as per the permissions already granted by the authorities concerned. Any deviation thereto shall be only with the written permission of the Union of India and subject to the agreement to that effect filed in the Court and prior sanction of the Court being obtained in respect thereof.

This order does not purport to deal with the disputes, if any, between the State of Haryana and the private respondents. That is a matter between the State of Haryana and the private

respondents. However, even if the State of Haryana permits the private respondents to occupy the said portion of land admeasuring 4 kanals 18 marlas, the above conditions shall apply.”

(S.J. VAZIEDAR)
CHIEF JUSTICE

20.12.2017
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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned	Yes/No ✓
Whether reportable	Yes/No ✓