

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

CWP No.23549 of 2016 (O&M)

Date of Decision: 18.01.2017

Ramesh Chand & Anr.

... Petitioners

VS.

State of Haryana & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE GURMIT RAM

Present: Mr. JS Dahiya, Advocate for the petitioners

SURYA KANT, J. (Oral)

(1) The petitioners have been served with a show cause notice dated 09.09.2016 by HUDA authorities alleging that they are in unauthorized occupation of the HUDA land along side their house which has been released from acquisition. The petitioners have already filed a detailed representation in response to the show cause notice. No further order adverse to their interest has been passed.

(2) In this view of the matter, we dispose of the writ petition with a direction to the Estate Officer, HUDA – respondent No.4 to consider the objection-cum-representation filed by the petitioners; carry out fresh demarcation by associating the officials of the Revenue Department and in the presence of the petitioners and thereafter determine whether or not the petitioners have encroached upon the HUDA land. Such a question shall be decided by Estate Officer by passing a reasoned order.

(3) The entire exercise shall be completed within three months from the date of receipt of certified copy of this order.

(4) Till then the petitioners shall not be dispossessed nor any part of their building shall be demolished.

(5) Ordered accordingly.

(Surya Kant)
Judge

18.01.2017
vishal shonkar

(Gurmit Ram)
Judge

1. Whether speaking/reasoned?	Yes
2. Whether reportable?	No