

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

CWP No. 6759 of 2016

Date of decision : 25.10.2017

Labh Singh

....Petitioner

V/s

State of Haryana & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arpandeeep Narula, Advocate for the petitioner.

Mr. Rohit Arya, Asst. A.G. Haryana.

RAJAN GUPTA J.

Petitioner has prayed for a direction to restrain the respondents from encroaching or utilizing any portion of land comprised in khasra no. 12 village Chhajjal Majra, Tehsil Naraingarh, District Ambala. Petitioner alleges that he is co-owner in possession of land comprised in khasra no. 12 in village Chhajjal Majra, Tehsil Naraingarh, District Ambala. Same is situated next to National Highway-72. However, land of the petitioner was not acquired and he did not receive any compensation. He was shocked to know that respondent-department was planning to construct another high-level bridge nearby his land. He, thus, requested the authorities to conduct a demarcation and start acquisition proceedings, if needed to raise further construction. In its reply State has taken a stand that it is owner of the land in question and is fully entitled to construct a bridge as river Begana was existing under the same. Petitioner merely intended to interfere with the process being undertaken by the authorities. I find substance in the plea of

the State. There is no ground to accept the plea of the petitioner that he is co-owner of the land in khasra No. 12 village Chhajal Majra, Tehsil Naraingarh. In any case it is disputed question of fact which can be proved only by leading evidence. No ground to interfere in writ jurisdiction is made out. Dismissed.

October 25, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No