

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.12509 of 2016 (O&M)

Date of decision: 18.07.2018

Ghar Bachao Sangharsh Samiti, Hisar

..... Petitioner

Versus

Deputy Commissioner, Hisar and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Suvir Sidhu, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl. AG, Haryana with
Mr. Manoj Dhankhar, AAG, Haryana.

Mr. Chetan Mittal, Sr. Advocate with
Ms. Shifali Goyal, Advocate and
Mr. O.P. Sharma, Advocate
for respondent No.3.

RAJESH BINDAL, J.

Present petition has been filed praying for issuance of direction to the respondents to take possession of the land measuring only 13 kanals and 8 marlas as ordered by this Court and not to dispossess 111 encroachers of the land and the necessary action be taken after carrying out the demarcation.

Learned counsel for the State submitted that in the affidavit dated 16.10.2017 was filed in CWP No.12704 of 2016 pertaining to same area of land, it has been stated that the encroachment from entire land has been removed which was partly on the PWD land and partly on the land of Delhi Cloth Mill (for short, DCM). The possession of the land owned by

DCM has been handed over to it. He further submitted that the possession of the land which was returned back to DCM is total 2,021 kanals and 9 marlas. He further submitted that initially possession of the land 13 kanals and 8 marlas could not be handed over to DCM out of total 2,021 kanals and 9 marlas and has been handed over after the encroachment on 13 kanals and 8 marlas of land was removed. Rest of the land belongs to PWD which is part of a coming road, Hisar Raipur Road.

Learned counsel for the State submitted that the encroachments from the land have already been removed and the possession of the land only to the extent DCM was entitled to has been handed over to it and rest of the land is in the possession of the State being part of road.

As encroachments from the land have already been removed, we do not find that anything survives in the present petition and the same is accordingly dismissed.

(RAJESH BINDAL)
JUDGE

(ANIL KSHETARPAL)
JUDGE

18.07.2018
Dinesh Bansal

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No