

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

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**CWP-17230-2015**

**Date of decision: 08.05.2019**

*HARBHAJAN SINGH*

*...PETITIONER*

*VS.*

*UNION OF INDIA AND ANOTHER*

*..RESPONDENTS*

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH***

Present: Mr. Rakesh Gupta, Advocate,  
for the petitioner.

Mr. Ankur Sharma, Advocate,  
for the respondents.

Mr. Charanpreet Singh, AAG, Punjab,  
for the State.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Affidavit of Major Naveala Singh, Unit-119, Assault Engineer Regiment Patiala Cantt. dated 8/9.4.2019 has been filed in Court, according to which, the encroached land of 74 Sq. Yards of Khasra No. 640 has been taken over as part of defence land from Harbhajan Singh (petitioner herein) on 02.04.2019. It has further been stated that the taken over land has been demarcated using picquets and barbed wire which has been fixed to distinguish the land.

In view of the earlier orders, which have been passed by this Court, on the basis of which, fresh demarcation was carried out wherein it was found that the petitioner-Harbhajan Singh was in illegal possession of

74 Sq. Yards of defence land, possession of which has been handed over to the respondents-defence authorities, the present writ petition has been rendered infructuous and the same is disposed of as such. The order of eviction dated 07.02.2014 (Annexure P-2) as also the order of appellate authority dated 29.04.2015 (Annexure P-1) are modified to the extent that the petitioner is in illegal possession of 74 Sq. Yards of Khasra No. 640.

**May 08, 2019**  
*pj*

**(AUGUSTINE GEORGE MASIH)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No