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

**CM-5241-42-CWP-2020 in/and
CWP-12764-2019
Date of Decision : 19.06.2020**

Dr. Surinder Singh Yadav

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present :- Mr. Chetan Mittal, Sr. Advocate
with Mr. Sunil K. Sahore, Advocate
for the applicant-respondents No.3 and 4.

Mr. Salil Sagar, Sr. Advocate
with Mr. Sankalp Sagar, Advocate
for the non-applicant-petitioner.

Mr. Ankur Mittal, Addl.A.G., Haryana.

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This is an application for preponent of the main petition. With the consent of the counsel for the parties, the main petition is taken up for hearing today itself.

CWP-12764-2019 (O&M)

This petition has been filed challenging the action of the respondents in trying to dispossess the petitioner from his shop/house for the purpose of construction of highway.

The case of the petitioner is that he has made the construction on his personal property comprising Khasra No.182. On the other hand,

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the stand of the respondents is that they have no concern with that portion of property which has been duly constructed on Khasra No.182 but actually the petitioner has made an encroachment on Khasra No.200 and that is why demolition of that property has to be carried out.

In our considered opinion, the exact location of construction of the petitioner is a disputed question of fact which this Court cannot go into in these proceedings.

Consequently, the petition is dismissed with liberty to the petitioner to seek alternate remedy available as per law.

**(AJAY TEWARI)
JUDGE**

**(JASGURPREET SINGH PURI)
JUDGE**

June 19, 2020
ashish/anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No