

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

CWP No.16868 of 2021 (O&M)

Date of Decision:31.08.2021

Baba Peer Bahare Shah Aulia Chisti @ Hazrat Ahmed Ali Shah

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Dr. Sukant Gupta, Advocate for the petitioner.

Mr. Aman Bahri, Addl. A.G. Haryana.

TEJINDER SINGH DHINDSA J. (Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition is at the hands of Baba Peer Bahare Shah Aulia Chisti @ Hazrat Ahmed Ali Shah through its *Khidmatguzar*, Akbar Ali Sabri son of late Mohd. Ewas Sabri.

Challenge in the instant petition is to a memo dated Nil carrying endorsement dated 10.08.2021 from the office of the Executive Engineer, Construction Division (NH) PWD (B&R), Branch Panchkula and addressed to the Tehsildar, Ambala City on the following subject:-

“Application for removal of all the illegal encroachments and un-authorized constructions, whether temporary or permanent raised by the Peer Behra Shah related to (Town Estate No.2, Village: Patti Mehar), commonly known as Sector-7, Urban Estate, Ambala City and surrounding public

lands belongs to your departments.”

Dr. Sukant Gupta, Advocate at the very outset makes a statement that he is giving up the challenge to the impugned memo (Annexure P-13) but would confine the scope of the instant petition only as regards the petitioner/*Khidmatguzar*, Akbar Ali Sabri, being associated at the time of the demarcation proceedings being undertaken at the site.

An advance copy having already been served upon the respondents, Mr. Aman Bahri, Addl. A.G. Haryana, has joined proceedings and he upon instructions from Mr. Jatin, Junior Engineer, PWD (B&R) Branch, Panchkula, makes a statement that while undertaking the demarcation proceedings pursuant to the impugned memo at Annexure P-13, the afore-noticed *Khidmatguzar* namely Akbar Alia Sabri, would be duly associated.

In the light of such fair stand taken on behalf of the State, no further directions are required to be passed.

Petition disposed of.

We make it clear that we have not opined on the merits of the case.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIKAS BAHL)
JUDGE

August 31, 2021
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No