

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10770-2023 (O&M)
Date of decision:20.11.2023

Prem Rathee and others

....Petitioners

Versus

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Harkaran Singh, Advocate,
for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Karan Jindal, Assistant Advocate General, Haryana,
Ms. Kushaldeep Kaur, Advocate.

Mr. Deepak Sabherwal, Advocate,
for the respondent-HSVP.

ARUN PALLI, J. (Oral)

On September 20, 2023, this Court had passed the following
order:-

“Counsel for the petitioners inter alia contends that show cause notice dated 27.01.2022 under Section 18(1)(b) of the Haryana Shehri Vikas Pradhikaran Act, 1977 (Annexure P-6) has been served upon the petitioners regarding the unauthorized/illegal construction on HSVP land in Sector 11, Part A, Bahadurgarh. A reply has been filed on 04.02.2022 (Annexure P-7) that the land was released in view of the order passed on 28.03.2019 in CWP12031-2004, Smt. Prem Rathee and others vs. Union of India and others, which is now appended as Annexure P-3. It is also further mentioned that Mutation No.36904, which is now appended as Annexure P-5, was also entered on the said basis. It is accordingly submitted that the petitioners

are being harassed by the respondents in spite of the mutation having been entered in their favour.

Mr. Deepak Sabherwal, appears on behalf of HSVP-respondent No.8 and prays for time to seek instructions.

Adjourned to 08.11.2023.

Respondent Nos.1 and 2 apparently are unnecessary parties and are accordingly struck off from the array of parties.

Today, learned counsel appearing for the respective respondents fairly submit that upon consideration of the matter in issue and since the land owned by the petitioners had been released from acquisition, pursuant to the order and judgment dated March 28, 2019, rendered by the Division Bench of this Court in **CWP-12031-2004 (Smt. Prem Rathee and others Vs. Union of India and others)**, and was even subsequently mutated in their favour, the authorities have taken a conscious decision to withdraw the impugned show cause notice. Thus, they submit that nothing substantive survives in the petition and the same be disposed of, as having been rendered infructuous.

Learned counsel for the petitioners does not dispute the abovesaid position and submits that let the petition be disposed of, as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.11.2023
Ak Sharma

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