

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

CWP-14914-2021 (O&M)

Date of Decision: 24.08.2023

M/s APEEJAY Global Industrial and Logistic Park Limited

..... Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. C.M. Munjal, Advocate, for the petitioner.

Ms. Jyotika Panesar, Advocate, for respondents No.1 to 3.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing the order/notice dated 01.07.2021 (Annexure P-11) issued by respondent No.3 and the alleged demarcation report dated 27.05.2021 (Annexure P-8) undertaken by respondent No.4.

Notice of the petition was issued to the respondents. This Court heard both the counsel for the parties and finding that parties were at a consensus issued directions for fresh demarcation vide order dated 21.03.2023. In pursuance to the same, the demarcation was carried out in presence of both the parties.

Learned counsel for respondents No.1 to 3 has filed the demarcation report by Halka Kanungo, Ballabgarh, District Faridabad which is taken on record. As per demarcation report, the petitioner was found to be in possession of total land of 4609 square yards.

Learned counsel for the petitioner has fairly submitted before this Court that as per demarcation report, unauthorized possession would be surrendered by the petitioner.

Learned counsel for respondents No.1 to 3 has endorsed the

same and has accepted it.

It is evident that the impugned notice dated 01.07.2021 was issued to the petitioner on the premise that on the demarcation got done by the Railway Department, the petitioner was found in illegal possession of the land and he was directed to remove the unauthorized construction within seven days. As per fresh demarcation conducted in pursuance to the order of this Court, learned counsel for the petitioner has fairly submitted that the petitioner will surrender the land which was found to be in his unauthorized possession. In view of the undertaking given by learned counsel for the petitioner that the petitioner will surrender the unauthorized possession, the present petition is disposed of. However, the petitioner will honour the undertaking given by its counsel today in the Court.

24.08.2023		(RAJESH BHARDWAJ)
sharmila		JUDGE
	Whether Speaking/Reasoned	: Yes/No
	Whether Reportable	: Yes/No