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

**CWP-17216-2023 (O&M)
Date of decision : 22.12.2023**

Kuldeep Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. G.K. Maan, Sr. Advocate with
Ms. Simrat Kaur, Advocate & Mr. Gursharan Singh, Advocate
for the petitioner.

Ms. Akshita Chauhan, D.A.G., Punjab.

Mr. Amarpreet Bains, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

CM-17162-2023

Prayer in the present application is for placing on record the
copy of demarcation reports dated 08.08.2023 and 22.09.2023 as
Annexures P-11 and P-12.

For the reasons mentioned in the application, same is
allowed. Demarcation reports annexed as Annexures P-11 and P-12, are
taken on record, subject to all just exceptions.

CWP-17216-2023

Present civil writ petition has been filed under Articles
226/227 of the Constitution of India for issuance of an appropriate writ,
order or direction especially in the nature of Certiorari for quashing the

order dated 23.06.2023 (Annexure P-10) passed by respondent No.2, which is illegal arbitrary and against the revenue record.

On filing of this petition, notice was issued to the respondents.

Learned Senior counsel has submitted that Khasra no.222 was acquired by respondents whereas the petitioner was the owner in possession of the same. It is submitted that respondent-authorities were carrying out the demarcation in violation of the statutory provisions and thus, there was apprehension that Khasra No.222 would be encroached upon by the respondents. This Court vide order dated 08.08.2023 directed the respondents authorities to carry out the demarcation as in accordance with law. However, when the case came up for hearing on 24.08.2023, it was submitted before this Court that the demarcation as directed by this Court vide order dated 08.08.2023, was carried out, however, learned State counsel had submitted that though the demarcation was carried out, but on the request of respondent No.2 i.e. Pathankot Improvement Trust, the same would be carried out again. Resultantly, a fresh demarcation was carried out. It has been submitted before this Court by the learned Senior counsel that the demarcation was made for the second time in the presence of both the parties and thus, the grievance as raised in the petition, has been redressed.

A Short reply by way of affidavit of Tehsildar, Pathankot, District Pathankot has been filed on behalf of respondents No.1, 3 & 4. Learned State counsel has drawn the attention of this Court to the affidavit filed, wherein it is mentioned that the respondent No.4 along with the Committee constituted for demarcation went to the spot and

called both the parties on 29.11.2023, the demarcation was carried out. The report is also submitted. Thus, it is apparent that the demarcation, as prayed for in the petition, is carried out in the presence of both the parties and thus, the grievances as raised are redressed and hence, the present petition is disposed of as infructuous. However, the parties are at liberty to pursue their remedy in case any further cause of action accrues to them.

22.12.2023
ps-I

(RAJESH BHARDWAJ)
JUDGE

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