

205

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

**CWP No. 5494 of 2017
DECIDED ON: 01.06.2023**

POONAM AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL.

Present: Mr. Bhavnik Mehta, Advocate
for the petitioners.

Mr. Rohit Ahuja, DAG, Punjab.

Ms. Reeta Kohli, Senior Advocate
with Ms. Vandana Kohli, Advocate (amicus curiae).

VIKAS BAHL, J (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to forebear/restrain from demolishing the houses/structures/constructions of the petitioners on the basis of notification dated 04.03.2013 (Annexure P-7).
2. On 20.04.2023, this Court was pleased to pass the following order:-

“In compliance of the previous order dated 09.01.2023, status report by way of affidavit has been filed today in the Court and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

Learned State counsel has pointed out that in the present writ petitions the notification dated 04.03.2013 has not been challenged and by virtue of the said notification, the area belonging to the petitioners has been notified under the said notification.

Learned counsel for the petitioners have submitted that there are some influential persons against whom no action is sought to be taken, whereas, the action is only sought to be taken against the present petitioners.

Learned State counsel has stated that the plea raised by the petitioners to the effect that action is not sought to be taken against some other persons would not benefit the present petitioners, inasmuch as, it is always open to them to file a separate petition seeking appropriate relief against them after impleading them as party.

Learned counsel for the petitioners have submitted that the houses of the petitioners are beyond the back of the chowk and thus, pray for an adjournment to get instructions with respect to the objections raised by the respondent-State.

Adjourned to 11.05.2023.

To be taken up at 1.45 P.M.

A photocopy of this order be placed on the files of connected cases.

April 20, 2023

**(VIKAS BAHL)
JUDGE"**

2. Learned counsel for the petitioners has fairly submitted that the land of the petitioners falls within the notification in question and thus, he seeks to withdraw the present writ petition with liberty to challenge the said notification.

3. In view of the above-said statement of learned counsel for the petitioners, the present writ petition is dismissed as withdrawn, with the aforesaid liberty.

01.06.2023

Lavisha/Naresh.K

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*