

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

219

CWP-85-2017

Date of Decision : **February 21, 2023**

MUSHTAQUE & ORS

.....Petitioners

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. Mohammad Arshad, Advocate
for the petitioners.

Mr. P.P.Chahar, DAG, Haryana.

Mr. Sarfraj Hussain, Advocate for
Mr. Rajesh Bhateja, Advocate
for respondent No.7.

SURESHWAR THAKUR. J.(Oral)

1. The writ petitioners were ordered to be evicted from the petition land(s) through an order made by the learned Collector concerned, on 3.7.2013, and, which became affirmed by the Appellate Authority concerned, on 23.5.2012. Therefore, the above concurrent orders of eviction, as became rendered against the petitioners hence respectively by both the statutory authorities below but were required to be enforced, and, were also required to be completely executed. Moreover, since it is stated at the bar by the learned State counsel, that the said orders have not been challenged even before this Court, factum whereof, garners support from a reading of the prayer clause carried in the writ petition. Therefore, the concurrently made orders of eviction against the petitioners rather do assume conclusivity and finality,

and, as such are required to be completely enforced and executed against the petitioners. Be that as it may, the relief asked for in the instant petition by the petitioners, is that, they are homeless and houseless persons. However, the learned State counsel on instructions imparted to him by the official concerned, submits that the petitioners are already owning home steads. Therefore, believing the above made statement at the bar by the learned State counsel, the above asked relief in the instant petition by the petitioners, is at this stage not, required to be granted to them. It may be considered through a separate petition being forthwith made by the petitioners before the authority concerned.

2. Consequently, this Court find no merit in the instant petition. Therefore, the instant petition is dismissed.

(SURESHWAR THAKUR)
JUDGE

(KULDEEP TIWARI)
JUDGE

February 21, 2023
ajay-1

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No

GRAM PANCHAYAT BARADWAL V/S JOINT DEVELOPMENT COMMISSIONER AND ORS.

Present: Mr. S.S.Salar, Advocate
for the petitioner.

Mr. Maninder Singh, DAG, Punjab.

Mr. M.L.Saggar, Sr. Advocate assisted by
Ms. Armaan Saggar, Advocate and
Mr. B.S.Khehar, Advocate
for respondent No.2.

1. Learned Senior counsel appearing for co-respondent No.2 submits that he shall have instructions that in case the Government of Punjab is ready and willing to take over the educational institution, thereupon co-respondent No.2 has no objection to the said taking over of the educational institution concerned.
2. List on 23.2.2023 for the relevant instructions being placed on record by the learned counsel for co-respondent No.2.
3. The Principal Secretary, Higher Education Department of Punjab is also directed to then record his personal appearance before this Court.

**(SURESHWAR THAKUR)
JUDGE**

**(KULDEEP TIWARI)
JUDGE**

February 21, 2023
ajay-1