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

CWP-20095-2023 (O&M)

Date of Decision: October 13, 2023

Tarun Educational Society
Versus

.....Petitioner

Zila Parishad Faridabad and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Jai Bhagwan Sharma, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

CM-15651-CWP-2023

For the reasons mentioned in the application, the same is allowed. Deputy Commissioner, Faridabad, is ordered to be impleaded as respondent No.3.

Amended memo of parties is taken on record.

CWP-20095-2023

Petitioner has approached this Court praying for quashing of impugned notice, dated 18.08.2023, Annexure P-6, issued by respondent No.1 for removal of alleged encroachment in the name of proforma respondent No.2 which affects the right of the petitioner Society being lessee of land in dispute. It is further prayed to quash the demarcation report dated 11.12.2019, Annexure P-7, which has been prepared as per the wishes of respondent No.1 illegally without following proper norms of demarcation despite objections of respondent No.2. It is further prayed to issue directions to respondent No.1 not to demolish the building of Tarun Niketan School

run by the petitioner society, being the construction of the building without any encroachment.

Counsel for the petitioner submits that on the disputed land, school is running and there is every possibility that State would take coercive action regarding demolition of the same. He further submits that the petitioner has already filed a representation before respondent No.3 on 21.07.2023 (Annexure P-8) but till date the same has not been decided.

Notice of motion to official respondents only at this stage.

On asking of the Court, Ms.Upasana Dhawan, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondents/State.

After hearing counsel for the parties and going through the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.3, i.e. Deputy Commissioner, Faridabad, to decide the representation, dated 21.07.2023, Annexure P-8, expeditiously in accordance with law preferably within one month from the date of receipt of certified copy of this order.

No coercive action be taken against the petitioner till decision of the representation, Annexure P-8, by respondent No.3.

October 13, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |