

In the High Court of Punjab and Haryana at Chandigarh

(109)

CWP No. 24342 of 2023 (O&M)

Date of Decision: 07.11.2023

Raj Singh and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Ms. Rashi Shahrawat, Advocate
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana with
Mr. Saurabh Mago, DAG, Haryana.

SURESHWAR THAKUR, J. (ORAL)

CM-18956-CWP-2023

The application is allowed as prayed for. Annexures A-1 and A-2 are taken on record.

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1. The learned counsel for the petitioners and the learned State counsel are *ad idem*, that the demarcation report, as became relied upon, by both the statutory authorities below, was not tendered into evidence by its author, nor thus became proven, in accordance with law.

2. Therefore, in view of the above *ad idem* statement, made at the bar, by the learned counsel for the petitioners as well as by the learned State counsel, this Court is led to quash the impugned orders. Moreover, this Court is further led to remand the lis to the learned Assistant Collector concerned, who shall, after restoring the lis to its original number, ensure that a valid demarcation of the petition land(s) is conducted by the

empowered revenue officer concerned. Subsequently on receiving the report of the demarcating officer concerned, the learned Assistant Collector concerned, shall ensure that the author of the said demarcation report steps into the witness box, and, proves the same, in accordance with law.

3. All the above exercises shall be ensured to be completed within three months from today but after hearing all affected persons concerned.

4. Accordingly, the instant petition is allowed. The impugned orders are quashed and set aside.

(SURESHWAR THAKUR)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

November 07, 2023
Gurpreet

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