

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

**CM-12239-CWP-2023 with
CM-12325-CWP-2023 in/and
CWP No.37643 of 2019 (O&M)
Date of decision : 03.08.2023**

Hari Niwas

..... Applicant-Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present:- Mr. Sushil Kumar Verma, Advocate
for the applicant-petitioner.

Ms. Upasna Dhawan, AAG, Haryana.

Mr. Daljeet Singh Virk, Advocate
for respondents No.5(i) and (ii) to 10 and 12 to 14.

RAJESH BHARDWAJ, J. (Oral)

CM-12239-CWP-2023

Present application has been filed seeking preponement of the
date of hearing in the main case.

After hearing learned counsel for the applicant-petitioner,
prayer made in the application seeking preponement of the date of hearing
is allowed.

Let the main case be taken on Board today itself.

CM-12325-CWP-2023

Present application has been filed for disposing of the main
petition by setting aside the impugned orders challenged in the main case
in terms of the compromise deed dated 07.03.2022.

Learned counsel for the applicant-petitioner has submitted

before this Court that after filing of the present petition, both the parties

have amicably resolved the issue as per compromise dated 07.03.2022, which is placed on record as Annexure P-10 and thus, he has submitted that present petition be disposed of accordingly.

Learned counsel for respondents No.5(i) and (ii) to 10 and 12 to 14 has affirmed the submissions made by learned counsel for the applicant-petitioner and has submitted that the respondents have no objection if the present petition is disposed of in view of the compromise arrived at between the parties.

In view of the above, present application stands disposed of.

CWP No.37643 of 2019 (O&M)

Present writ petition has been filed for issuance of a writ in the nature of certiorari for setting aside the impugned order dated 20.02.2019 passed by respondent No.4; order dated 28.06.2019 passed by respondent No.3 and order dated 20.09.2019 passed by respondent No.4 whereby the water course shown in naksha has been restored permanently through the land of petitioner by bifurcating the land.

In view of the submissions made by learned counsel for both the parties in application bearing CM-12325-CWP-2023 seeking disposing of the main petition in view of the compromise arrived at between the parties, the present petition stands allowed accordingly and the impugned orders under challenge are set aside. The parties are bound to abide by all the terms and conditions of the settlement placed as Annexure P-10 on record.

03.08.2023

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(RAJESH BHARDWAJ)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No