

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

CWP-1797-2024

Date of Decision: 29.01.2024

Desh Raj and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Manpreet Singh Kamla, Advocate and
Ms. Pridhi Jaswinder Sandhu, Advocate
for the petitioners.

Sureshwar Thakur, J. (Oral)

1. Learned counsel for the petitioners seeks leave to withdraw the writ petition.
2. Leave granted.
3. Dismissed as withdrawn, but with liberty to assail the impugned order dated 21.11.2023 (Annexure P-6) through the petitioners raising there against a statutory appeal before the Commissioner concerned.
4. On such an appeal being filed, the same shall be decided in accordance with law, and, also after hearing all the affected persons concerned.
5. Furthermore, it is also open to the present petitioners to through the relevant statutory appeal, thus, raise arguments about the admissibility of the demarcation report, thus, on the ground that the same remained not proven,

in accordance with law, thus, through the author of the said demarcation report omitting to step into the witness box. If the said statutory appeal is time barred, thereupon on an application cast under Section 14 of the Limitation Act, 1963 or under Section 5 of the Limitation Act, 1963 becoming appended therewith, thereupon a well considered order shall be passed thereons, and, thereafter the statutory appeal shall be decided through a valid speaking order. The said statutory appeal be decided within four months from today, but after hearing all the affected persons concerned.

6. Till the statutory appeal is filed within a week from today, thereupto, parties are directed to maintain status-quo in respect of the disputed land.

7. Disposed of along with all pending applications, if any.

(SURESHWAR THAKUR)
JUDGE

29.01.2024

Varinder Prashad

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No