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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:013891

CWP-2107-2024

Date of Decision:01.02.2024

Bhupinder Singh and others

..... Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Ms. Anju Arora, Advocate and
Ms. Manpreet, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of directions to the respondents to construct the Azamwala Minor strictly as per the sanctioned site plan and strictly on the land of provisional Govt. ownership for the purpose of Azamwala Distributory/Azamwala Minor as per sanctioned plan. Further prayer has been made to direct the respondents to not to construct the Azamwala minor on the land of the petitioners and on the Gair Mumkin Rasta of Gram Panchayat village Azamwala and respondents No.1 to 3 be restrained from encroaching the land of Gram Panchayat village Azamwala and petitioners' land.

It has been submitted by learned counsel for the petitioners that Azamwala minor is being made *pucca* by the State. It is submitted that though the land was earmarked for this minor, but the same is encroaching upon the land of the petitioners and other similarly situated persons as well. She submits that on the representation filed by the petitioners, demarcation was carried out and as per the demarcation report dated 02.01.2024 (Annexure P-15), encroachment on the land of the petitioners was also established. She has further submitted that the petitioners have also filed a representation dated 20.11.2023 (Annexure P-11) before respondent No.3, but no action has been taken on the same till date.

Notice of motion.

Ms. Akshita Chauhan, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State. She has submitted that on the basis of the demarcation report, the matter is already under consideration before respondent No.3- i.e. Executive Engineer, Abohar Canal Division and the same would be decided expeditiously.

In view of the above submissions made, the present petition is disposed of with a direction to respondent No.3 i.e. Executive Engineer, Abohar Canal Division to take into consideration the grievances raised by the petitioners in their representation dated 20.11.2023 (Annexure P-11) and decide the same after giving them opportunity of personal hearing, expeditiously preferably within four weeks from today.

01.02.2024
sharmila

(RAJESH BHARDWAJ)
JUDGE
Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No