

108

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16381-2024(O&M)
Date of Decision: February 08, 2024

Baldev Singh and another

.....Petitioners

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Dr.Khushbir Kaur, Advocate
for the petitioners.

Mr.Satya Pal Jain, Addl.Solicitor General of India with
Mr.Sunil Kumar Sharma,Sr.Panel Counsel
for Union of India/respondents No.1 and 2.

Ms.Akshita Chauhan, DAG, Punjab.

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RAJESH BHARDWAJ, J.(ORAL)

Petitioners have approached this Court praying for issuance of direction to respondents No.1 to 6 to stop illegal construction/activities on the land belonging to the petitioners in khasra No.708 Min situated at village Kalanaur and also restraining respondent No.1 to 6 from grabbing land of the petitioners under the disguise of Swadesh Darshan Yojna Scheme, Annexure P-4 and the circular, dated 08.03.2019, Annexure P-5, issued by respondents No.1 and 2 Ministry of Tourism (MOT), Government of India as the land of the petitioners is neither acquired through Notification in the official gazette nor any compensation is paid by the respondents (Govt.of India) nor the same land forms part of official letter dated 29.04.2020, Annexure P-6, issued by respondent No.3 and also writ of certiorari for quashing of impugned circular dated 08.03.2019 being vague, arbitrary and

further to restrain the respondents from illegally dispossessing the petitioners without following due procedure established by law under Article 300-A of the Constitution of India. It is also prayed to stop the illegal construction and grant status quo order on the further illegal construction/activities on the above-mentioned land during pendency of the present petition.

Affidavit of Harpreet Singh, Sub Division Magistrate Kalanaur, District Gurdaspur, has already been filed by respondent/State on 25.10.2021 wherein it has been specifically submitted that parking of Shiv Mandir does not fall in Khasra No.708 and there is no encroachment whatsoever in Khasra No.708, which belongs to the petitioners.

In view of the undertaking given by the respondent/State in the affidavit filed by SDM, Kalanaur, the present petition is disposed of. However, if any encroachment is found to have been committed in Khasra No.708, the petitioners would be at liberty to pursue their remedy, in accordance with law.

February 08, 2024

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- 1. Whether speaking/reasoned ?
- 2. Whether reportable ?

(RAJESH BHARDWAJ)

JUDGE

- Yes/No
- Yes/No