

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8007-2025 (O/M)

Date of decision : 21.03.2025

Dharampal

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Aditya Yadav, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG Haryana.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India is for issuance of a writ in the nature of certiorari for quashing the reply dated 08.08.2024 (Annexure P-12), passed by Executive Engineer-II, Municipal Corporation, Gurugram (respondent No. 5 herein), whereby, without any report/demarcation, it has been held that the Municipal Corporation, Gurugram has not encroached upon the land of the petitioner i.e. Killa No. 6//6/1 upto the extent of 70 sq. yards which is also contradictory to the reply dated 21.10.2020 (Annexure P-9), filed by predecessor of respondent No. 5, which was verified by the then Joint Commissioner-II, Municipal Corporation, Gurugram, who admitted that respondents have illegally encroached on the abovesaid land of the petitioner and also wrong in view of report dated 21.03.2020 (Annexure P-8) and report dated 19.05.2023 (Annexure P-10), submitted by the concerned Patwari.

2. A perusal of writ petition would reveal that disputed questions of fact are involved in this case, which would require evidence to be led. Accordingly, petitioner is relegated to avail his civil remedies before the civil court of competent jurisdiction.

3. The instant civil writ petition is accordingly disposed of.

4. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

21.03.2025

sjks

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