

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

103

CWP-10135-2022

Date of Decision : April 29, 2025

NAVJIT SINGH

-PETITIONER

V/S

UNION OF INDIA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deepak Nayar, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. R.S. Madan, Advocate and
Mr. Mahender Joshi, Advocate
for the respondent No.4-NHAI.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for issuance of directions upon the respondents No.1 to 4 to remove the illegal construction raised by the respondents No.5 and 6, in the shape of a permanent police post, on the property belonging to the respondent No.4-NHAI.

2. Insofar as ownership of the property in question is concerned, there is no wrangle amongst the contesting litigants that, the same belongs to the respondent No.4-NHAI. Therefore, this Court, during previous hearing of the instant writ petition, posed a specific query to the respondent(s)-State as to whether they have adopted the due procedure and obtained valid permission from the authority concerned to set up the police post on the land belonging to the respondent No.4-NHAI.

However, the respondent(s)-State was unable to place on record any document to render and substantiate an affirmative response to the query of this Court. Consequently, this Court was led to pass the following order on 06.02.2025:-

“It is not under dispute that the land on which the police chowki/police post has been constructed, belongs to the respondent No.4-NHAI, and as on date, neither there is any construction by the respondent No.4-NHAI, nor was the land acquired by the State functionaries, to construct the police post.

Learned counsel for the respondent No.4-NHAI, who has caused appearance, informs this Court that they have written a letter to the Senior Superintendent of Police concerned, to remove the encroachment. However, no action has been taken in this regard, as on today.

List this matter on 28.04.2025.

The Senior Superintendent of Police concerned, shall file his personal affidavit, on or before the next date of hearing, disclosing therein, the reasons and legal propositions, which authorize him to encroach upon the land of the respondent No.4-NHAI.

In case of non-compliance of the directions (supra), the Senior Superintendent of Police concerned, shall cause personal appearance, before this Court, on the date fixed.”

3. In compliance of the hereinabove extracted order, the learned State counsel, on 28.04.2025, filed the affidavit of Mr. Gurpreet Singh Bhullar, IPS, Commissioner of Police, Amritsar, which was taken on record.

4. Today, the learned counsel for the petitioner submits that, in view of the affidavit (supra), since the police post has already been removed and the constructed portion has also been demolished, therefore, petitioner’s grievance stands redressed.

5. The learned counsel for the respondent No.4-NHAI also submits that, they are in the process of taking complete possession of the property in question and the same will be done within 15 days from today.

6. In view of the above, since the petitioner's grievance already stands redressed, hence no further direction is required to be passed. However, the respondent No.4-NHAI is directed to, within 15 days from today, take complete possession of the property in question.

7. **Disposed of accordingly.**

April 29, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No