



CWP-13824-2025 (O&M)

-1-

118

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

**CWP-13824-2025 (O&M)
Date of Decision: 27.08.2025**

Rajiya

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGERPresent : Mr. Mohammad Sabir, Advocate
for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana.

HARSH BUNGER, J. (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Mandamus for directing respondents No.3 and 4 to provide adequate compensation to the petitioner for the wrongful demolition of the commercial shops as well as the financial losses incurred due to the authorities failure to follow the due process of law.

1.1 A further prayer has been made for directing respondents No.3 and 4 to reconstruct the demolished shops at their own expense and provide restitution for the value of the demolished property including any associated losses due to the disruption of the petitioner's business operations.

2. Briefly, the petitioner is stated to have purchased a share in the joint land comprised in Khewat/Khatauni No.778/786, Killa No.13//14 (2-3), measuring 2 Kanal-3 Marla; to the extent of 8.82 Marlas.



CWP-13824-2025 (O&M)

-2-

2.1 It is stated that after the purchase of the said area, the petitioner had constructed nine shops for commercial purposes and in support of the same, the petitioner has attached certain photographs (Annexure P-3).

2.2 Petitioner states that she had invested sufficient time, efforts and financial resources into the construction of these commercial units ensuring that all necessary permissions and legal requirements were fulfilled to the best of her knowledge, however, respondent No.4 without any prior notice, came to the spot along with a team of demolition workers and started the demolition process.

2.3 It is stated that the petitioner submitted a representation dated 19.04.2025 (Annexure P-5), however, no action has been taken thereon.

3. In the aforementioned circumstances, the petitioner has filed the instant writ petition before this Court for the reliefs as noticed hereinabove.

4. Heard.

5. During the course of hearing of the present petition, a specific query was raised to learned counsel for the petitioner as to whether the petitioner has obtained any permission for change of land use as the sale deed (Annexure P-1) records the area purchased to be 'residential' in nature, whereas the petitioner had raised construction of 'commercial shops'; however, no response was forthcoming.

5.1 The petitioner has also not shown any permission taken from the competent authorities for construction of commercial shops and in absence of the same, the stand taken by the petitioner that she had raised the construction of commercial shops ensuring that all necessary permissions/legal requirements are fulfilled; cannot be appreciated.

6. Be that as it may, the petitioner is seeking compensation for the



CWP-13824-2025 (O&M)

-3-

wrongful demolition of the commercial shops. In my considered view, the petition involves disputed question of facts, which would require leading of evidence which is not possible in the present proceedings, accordingly, the present petition is dismissed, however, the petitioner may, if so advised, avail her appropriate remedies before the competent Civil Court for seeking recovery of damages/compensation, in accordance with law.

7. All pending application(s), if any, shall also stand closed.

27.08.2025
Himani

(HARSH BUNGER)
JUDGE

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