



CR-9935-2025 (O&M)

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

113

CR-9935-2025 (O&M)

Date of decision: 26.12.2025

KAMLA DEVI AND OTHERS**PETITIONERS****VERSUS****STATE OF HARYANA AND OTHERS****RESPONDENTS****CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Mukesh Kumar Verma, Advocate
for the petitioners.

Mr. Vikas Bhardwaj, AAG Haryana
(through video conferencing)

Shalini Singh Nagpal, J. (Oral)

1. Jurisdiction of this Court under Section 227 of the Constitution of India has been invoked for setting aside order dated 22.12.2025 of Learned Civil Judge (Junior Division), Rewari, vide which an application for preponement/early hearing was dismissed.

2. Learned counsel for the petitioners submits that a civil suit for declaration and permanent injunction was filed by the petitioners against the State of Haryana and others challenging the show cause notice issued by respondent No.3 under Section 12(2) of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter referred to as "the Act"); for directing the respondents to withdraw the memos and for restraining them from acting on the show cause notice. Vide interim order dated 26.11.2025, learned Civil Judge (Junior Division), Rewari directed the respondents to proceed further only in due course of law. Thereafter, respondents passed the demolition order under Section 12(2) of the Act, calling upon the plaintiff to restore the tin shed to



CR-9935-2025 (O&M)

its original state or to bring the land in conformity with the provisions of the Act and if he continued further contravention, threatened to take necessary action to restore the khasra numbers to their original state.

3. Learned counsel for the petitioners further submits that an application (Annexure P-9) was moved before learned Civil Judge (Junior Division), Rewari for early hearing of the main suit, in the wake of demolition/restoration order dated 09.12.2025. In paragraph No.4 of the application, there was a reference to order dated 09.12.2025, yet the application was dismissed on the only ground that the demolition order was not placed on record. It is argued that dismissal of the application for preponement would gravely prejudice the rights of the plaintiff who feared that the respondents would go ahead and demolish the structure in his agricultural land.

4. Notice of motion.

5. Mr. Vikas Bhardwaj, AAG Haryana, who is present in the Court through video conferencing accepts notice on behalf of the respondent-State and opposes the prayer.

6. Record shows that learned Civil Judge (Junior Division), Rewari, despite petitioners' specific pleading in the application for early hearing, regarding demolition/restoration order dated 09.12.2025 passed by the respondents, hastily declined to hear the matter. Valuable rights of the petitioners are involved, who are apprehending the demolition of structure raised in their agricultural land. Order dated 22.12.2025 under challenge is, therefore, set aside. Learned Civil Judge (Junior Division)/Vacation Judge is

CR-9935-2025 (O&M)

directed to pass a fresh order on the application for preponement in
accordance with law.

7. The petition is disposed of.
8. Pending applications, if any, stand disposed of.

(SHALINI SINGH NAGPAL)
JUDGE

26.12.2025
HS.CHAUHAN

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No