



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

110

CWP-11207-2026

Date of Decision:- 10.04.2026

SURINDER KUMAR AND OTHERS

...Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Krishan Singh Dadwal, Advocate (arguing counsel)
Mr. Manish Dadwal, Advocate,
Mr. Jagdeep Singh, Advocate for the petitioners.

Mr. Vipan Pal Yadav, Additional A.G. Punjab.

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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present petition under Articles 226/227 of the Constitution of India has been preferred by the petitioners seeking the following reliefs:

“i. To issue a writ in the nature of prohibition restraining the respondents from unnecessarily victimizing, harassing and humiliating the petitioners, by restraining them from taking out the standing trees, regarding which there exists no prohibition in the delisted area but without any tangible reasons and even despite the fact that from the prohibited area which falls within the purview of the Kandi area, where the applicability of Sections 4 and 5 of Punjab Land Preservation Act, 1900 exists, this Hon'ble Court has already clarified in CM No. 13-14 of 2026 in CWP-PIL-395 of 2025 and therefore there exists no impediment for the landowners, who are not prohibited by any law but by the rule of thumb, the respondents are acting like dictators and not permitting the petitioners to take out the trees from their own land, which amounts to infringement of the constitutional right under Article 300A of the



Constitution of India and in the given facts and circumstance, stringent orders need to be passed for stopping such like harassment.

ii. Further, a writ of mandamus directing the respondents to act upon the minutes of the meetings dated 26.4.2010 (Annexure P-1) as well as the notification dated 14.8.2012 (Annexure P-2), whereby only the Deputy Commissioner has been empowered to get the demarcation of the delisted area, from where the landowners are not stopped from using the land as per their convenience and wish, for which the petitioners have already resorted to the remedy available to them by making the applications, which are not accepted, although this Hon'ble Court already permitted the cutting of the trees from the prohibited area, keeping in view the peculiar facts and circumstances which are being set out in the present petition;

iii. xx xx xx
iv. xx xx xx
v. xx xx xx”

2. Learned counsel for the petitioners, after arguing the matter for a while, submits that the petitioners have already moved a legal notice/representation before the respondents, however, the same has not been responded to till date. He submits that at this stage, for the purpose of this petition, the petitioners would be satisfied if directions are issued to respondents No.4 and 5 to consider and pass an appropriate speaking order on the legal notice/representation dated 29.03.2026 (Annexure P-4) within a time bound period.

3. In view of above, without commenting anything on the merits of the case and considering the limited prayer made by learned counsel for the petitioners, the petition is hereby disposed of with direction to respondents to decide the legal notice/representation dated 29.03.2026 (Annexure P-4) moved by the petitioners, in accordance with law by passing



a speaking order, within a period of 10 days from today.

4. Copy of the order so passed be also communicated to the petitioners as well.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

10.04.2026
S.Sharma

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No