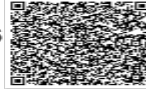
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****130****CR-7982-2025 (O&M)****Date of decision: 17.03.2026****Hem Raj (since deceased) through legal representatives
and another****...Petitioner(s)****Vs.****State of Haryana through Collector and others****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA****Present:- Mr. Sunil Bhardwaj, Advocate
for the petitioners.****Mr. Naveen Kumar, Addl. A.G., Haryana
for respondents No. 1 to 5.***********NIDHI GUPTA, J.**

Present Civil Revision Petition under Article 227 of Constitution of India read with Section 151 CPC has been filed by the plaintiff seeking setting aside of the order dated 06.04.2018 (Annexure P-3) passed by the learned Civil Judge (Junior Division), Narnaul; whereby application filed by the petitioner under Order 39 Rules 1 and 2 CPC has been dismissed; and order dated 20.09.2025 (Annexure P-5) passed by Additional District Judge, Narnaul; whereby the Appeal filed by the petitioner against the order dated 06.04.2018, has also been dismissed.

2. It is *inter alia* submitted by learned counsel for the petitioners that while dismissing the application of the petitioner for *ad interim*



injunction, the District Courts have failed to appreciate that Joint Inspection Committee has inspected the site and submitted Report to respondent No.5/Land Acquisition Collector; pursuant to which house of the petitioner has been released from acquisition. Moreover, the Demolition Order has been issued without notice to the petitioner.

3. It is accordingly prayed that present Revision Petition be allowed; and impugned orders be set aside.

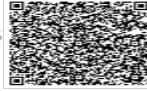
4. *Per contra*, learned counsel for the State opposes submissions of the petitioners and submits that the petitioner is in illegal occupation of the suit property. Notice dated 22.08.2017 had duly been issued to the petitioner giving orders to demolish the house of the petitioner within 7 days. Petitioner had failed to respond to the notice. As such, ad interim injunction has rightly been denied to the petitioners. It is accordingly prayed that the present Revision Petition be dismissed.

5. No other argument is raised on behalf of the parties. I have heard learned counsel and perused the case file in detail. I find no merit in the submission advanced on behalf of Id. counsel for the petitioners.

6. Brief facts of the case in chronological order are as follows: -

30.10.1992: Vide Notifications dated 30.10.1992 and 25.10.1993, defendant No.1-HUDA had acquired 357.57 Acres of land for developing mini-Urban Estate in Narnaul. Land of the petitioner was also acquired.

26.10.1995: Pursuant to above said Notifications under Sections 4 and 6 of the Land Acquisition Act, an Award dated 26.10.1995 was passed for



acquiring land measuring approximately 357.57 acres for development of mini urban estate at Narnaul.

06.10.1995: Vide order dated 06.10.1995, defendant No.1 issued layout plan in which property of the petitioner is stated to have been released.

22.8.2017: The HUDA issued order dated 22.8.2017 to demolish the house of the petitioner within seven days.

27.10.2014: Subsequently, another order dated 27.10.2014 was issued to demolish the petitioners houses on 22.11.2017.

14.11.2017: The petitioner had filed Civil Suit dated 14.11.2017 (Annexure P-1), for setting aside the orders dated 22.8.2017 and 2.10.2017. The said suit was accompanied with application (Annexure P-2) under Order XXXIX Rules 1 and 2 CPC.

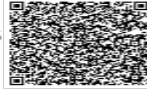
Nil: Defendants No. 2 to 4 had filed joint written statement dated nil to the suit as well as reply to the injunction application.

06.04.2018: Vide impugned order dated 06.04.2018 (Annexure P-3), application of the petitioner under Order XXXIX Rules 1 and 2 CPC was dismissed by the learned Civil Judge (Junior Division), Narnaul.

Nil: Petitioner had preferred Civil Miscellaneous Appeal dated nil (Annexure P-4) before the Id. Additional District Judge, Narnaul.

20.09.2025: Vide second impugned order dated 20.09.2025 (Annexure P-5), the Civil Miscellaneous Appeal filed by the petitioner, has also been dismissed.

7. It is the contention of the petitioner that despite the above said lay out plan excluding the property of the petitioner, defendant had



issued Memo dated 22.08.2017 for demolishing the house of the petitioner within 7 days. However, the said contention of the petitioners that their land had been released from acquisition, remains wholly unsubstantiated as Petitioner has not placed on record any Government Order to show that his land stood released from the acquisition. Further in the written statement filed by respondents, it is specifically averred that the petitioner is in illegal possession of suit property as encroacher.

8. On a Court query, learned counsel for the petitioners has been unable to apprise this Court as to whether any objections have been filed by the petitioner or his predecessor-in-interest before the Land Acquisition Collector.

9. In view of the above, petitioners are unable to satisfy the 3 ingredients necessary for grant of ad interim injunction i.e. petitioners are unable to make out *prima facie* case in their favour as it appears that they are in illegal possession of suit property and, therefore, they are encroachers; balance of convenience is not in favour of the petitioners; and, therefore, petitioners are not able to make out that any irreparable loss or injury shall be caused to them.

10. Learned counsel for the petitioners are unable to controvert or dispute the above said facts and findings.

11. In view of the above, no ground is made out to interfere in the impugned orders. The present Civil Revision Petition is hereby **dismissed**.



12. Pending application(s), if any, also stand(s) disposed of.

17.03.2026

Divyanshi

(NIDHI GUPTA)
JUDGE

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