

2025.PHHC.051871-DB



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

CWP-6700-2025 (O&M)

Date of decision: 22.04.2025

KASHI RAM & ORS.

.....Petitioners

Versus

STATE OF HARYANA & ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ALOK JAIN**

Present:- Mr. Abhimanyu Singh, Advocate for the petitioners.

SUDHIR SINGH, J.

By way of the present writ petition, the petitioners have sought issuance of a writ in the nature of Certiorari quashing the impugned public notice dated 22.07.2024 (Annexure P-11) issued by respondent No.5 directing the petitioners to remove unauthorized encroachment/construction within 7 days. The petitioners have further sought a restraint against the respondents from taking any coercive action against them and further direct them to frame a resettlement policy qua the petitioners.

2. Served with the advance copy of the writ petition, Mr. Gourav Bansal, DAG, Haryana appears for respondent-State, whereas Mr. Ankur Mittal, Advocate along with Ms. Saanvi Singla, Advocate appears on behalf of respondent(s)-HSVP and submit that the petitioners have only been called upon to remove the unauthorized construction from the Government land and once the land has been acquired by the Government by following the proper procedure, they have got no right to scuttle the said proceedings.

3. The petitioners claim themselves to be in possession of the land/property, from which the respondents have sought the removal of unauthorized construction. A perusal of the writ petition would show that it is the case of the petitioners themselves that the land measuring 154.50 acres in the Revenue State of Village Dadri, District Bhiwani, had been acquired by the Government in the year 2007 for development and utilization of the said land as residential and recreational Sectors-8 and 9 under the Haryana Urban Development Authority Act, 1977 (for short 'the Act'). The petitioners claim that only acquisition of 139.238 acres of land was approved by the Government out of the aforesaid 154.50 acres land, whereas the learned counsel for the respondents vehemently oppose and dispute the said assertions of the petitioners.

4. Having heard the learned counsel for the parties, we find that the present writ contains the disputed questions of fact, which cannot be gone into the writ jurisdiction of this Court.

5. In view of the above, the present writ petition is dismissed with liberty to the petitioners to file a civil suit, if so advised, in respect of the grievances raised in the present writ petition.

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

[SUDHIR SINGH]
JUDGE

[ALOK JAIN]
JUDGE

22.04.2025

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No