



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

207

CWP-PIL No.115 of 2022 (O & M)

Date of decision : 8.5.2025

Pankaj Sharma

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Rajesh Bansal, Advocate, for the petitioner

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Karan Kumar Jund, Senior Panel Counsel, UOI for
Respondents no.1 to 5

Mr. Deepak Balyan, Addl. AG, Haryana

Mr. Pardeep Sehrawat, Advocate, for

Mr. Vivek Goyal, Advocate, for respondent no.10

SHEEL NAGU, CJ. (ORAL)

CM No.106-CWPIL-2024

This is an application for placing on record status report/short reply by way of affidavit of K.A. Kabui, Superintending Archaeologist, ASI, Chandigarh Circle, alongwith Annexures R-1/1 to R-1/3, on behalf of respondents no.1 to 5.

For the reasons stated in the application, the same is allowed.

Status report alongwith Annexures R-1/1 to R-1/3 are taken on record.

Main Case

1. This petition has been filed for a direction to official



respondents to restrain respondent no.10 from raising illegal construction on the land falling under 100 meters of prohibited area as per the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (in short 'the Act').

2. The Archaeological Survey of India-respondent no.3 vide order dated 12.8.2024, Annexure R-1/3, by using the powers under Section 29 and 38 (1) of the Act, ordered for demolition of encroachments which sprouted in and around ancient site *Raja Harsh Ka Tila* and Archaeological Remains, Thanesar.

Despite elapse of 9-10 months, respondent no.6 has not taken any action.

3. This Court, therefore, directs respondent no.6 to carry out the aforesaid directions on the encroachers by using coercive means, within a period of one month for compliance, provided there is no restraint order of any judicial authority.

4. The matter stands disposed of with the direction to the Registry that in case compliance report is not filed within 30 days from today, the matter will be put up as PUD.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SUMEET GOEL)
JUDGE**

8.5.2025

Ashwani

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No