

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

**CWP No.16476 of 2001 (O & M)
Date of Decision:-12.02.2015**

Paramjit Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. S.S. Behl, Advocate
for the petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab
for respondent No.1-State.

Mr. Ashok Kumar Bazaz, Advocate
for respondent No.2.

HEMANT GUPTA J.(Oral)

The petitioner has sought a writ of mandamus directing the respondent-Municipal Corporation, Ludhiana to allot the land to the petitioner adjoining to Khasra No.51/9 measuring 163-3/4 square yards in adverse possession of the petitioner. Such claim of the petitioner was based upon a policy dated 8.5.2001, which contemplated that the land in unauthorized possession can be declared as authorized possession against consideration.

The said policy has been struck down by a Division Bench of this Court in CWP No.4511 of 2001 titled 'Hari Mitter and others v. State of Punjab and others' decided on 13.3.2002. Since the policy, the very basis of the claim of the petitioner, has been set aside, therefore, we find that the

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petitioner being in adverse possession cannot claim any right from this Court that he be declared in authorized possession of the same.

The present writ petition is dismissed.

(HEMANT GUPTA)
JUDGE

February 12, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE