

(2014) 05 P&H CK 0494

High Court Of Punjab And Haryana At Chandigarh

Case No: Civil Writ Petition No. 10692 of 2014

Mani Mahal and Others

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

Date of Decision: May 28, 2014

Hon'ble Judges: Surya Kant, J; Lisa Gill, J

Bench: Division Bench

Advocate: Mohit Jaggi, Advocate for the Appellant

Judgement

Surya Kant, J.

The petitioners seek a direction to the respondent-authorities not to demolish their cattle-shed/rooms. The above-stated alleged temporary structures have been constructed by the petitioners near the Air-Force Station/AirPort in Union Territory, Chandigarh.

2. It is not in dispute that identical controversy came up for consideration before this Court in CWP No. 21074 of 2011 (Kulwinder Singh versus State of Punjab and another), decided on 14.09.2012 (Annexure P-3) wherein this Court held that no building can be allowed to be constructed in the subject area keeping in view the work of defence and the fact that such structures would cause obstruction in the smooth running of the Air-Force Station. The agriculturists/landowners, however, were permitted to construct small size temporary cattle-sheds for the agricultural purpose.

3. In our considered view, the claim of the petitioners for retention of cattle-shed (but not the residential house or a pacca structure) can be considered by the respondent-authorities in the light of the directions already issued in Kulwinder Singh's case (supra).

4. Ordered accordingly.

5. Let a copy of this order be given dasti to learned counsel for the petitioner under the signature of the Bench Secretary.