

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI

O.A. No. 478 OF 2023

IN THE MATTER OF:

Virender Tyagi

...Applicant

Versus

State of Haryana &amp; Ors

...Respondents

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Date: 10.09.2025

Through



(Rahul Khurana, Advocate)  
Counsel for HSVP  
Mobile No. 9811894060  
e-mail: rkhuranalegal@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
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O.A. No. 478 OF 2023

IN THE MATTER OF:  
Virendra Tyagi

...Applicant

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State of Haryana &Ors.

....Respondents

**REPLY ON BEHALF OF RESPONDENT NO.3 – HARYANA  
SHEHRI VIKAS PRADHIKARAN**

**MOST RESPECTFULLY SHOWETH:**

I, Vaishali Singh, aged about 32 years working as Administrator, Haryana Shehri Vikas Pradhikaran, Gurugram, do hereby solemnly affirm and state as under:-

1. That I am the authorized representative of Respondent no3 in the present matter and in my official capacity as stated above, I am well conversant with the facts and circumstances of the present matter.
2. That present reply is being filed in compliance of order dated 28.08.2025 in order to answer the queries raised vide order dated 25.07.2024. The operative part of the order dated 25.07.2024 is reproduced as under for the kind consideration of the Hon'ble Court:-

*"3.Arguments were heard and Judgment was reserved vide order dated 19.03.2024. While going through the material on record*



*we find that respondent no.6-GMDA has in its reply claimed restoration of water body measuring 19K-16M in question through NGO namely 'SEEDS' but in its report the Joint Committee had mentioned that Pradeep Singh and villagers of Fatehpur submitted representation dated 06.11.2023 regarding their long procession over the land in question and pendency of CWP No. 10558 of 2015 titled as Bheem Singh Kashyap and Ors Vs. State of Haryana and Ors. before Hon'ble Punjab and Haryana High Court wherein status quo order dated 25.05.2015 was passed by Hon'ble Punjab and Haryana High Court. These material aspects were not specifically referred to in the reply filed by GMDA and were not specifically argued at the time of hearing. Above said writ petition is still pending before Hon'ble Punjab and Haryana High Court and is now fixed for hearing on 06.08.2024. Copies of the writ petition and all the orders passed by Hon'ble Punjab and Haryana High Court on the same are required to be placed on record and respondent no. 6-GMDA is required to clarify the factual position with respect to the relief claimed in the above said writ petition and status quo order passed by Hon'ble Punjab and Haryana High Court."*

The operative part of the order dated 28.08.2025 passed by the Hon'ble Tribunal in the captioned Original application is reproduced as under for the kind consideration of the Hon'ble Tribunal :-

*3. In its response respondent no. 6-GMDA has mentioned about restoration of water body.*



4. However, vide order dated 25.05.2015 passed in CWP No. 10558 of 2015 titled as Bheem Singh Kashyap and Ors Vs. State of Haryana and 2 Others Hon'ble Punjab and Haryana High Court had ordered maintenance of status quo and this Tribunal sought response of the respondent no. 6 with respect to effect of the above said order qua the water body in question.

5. Response has been filed by respondent no. 6-GMDA stating that it was not party to the above said writ petition.

6. Respondents are directed to file specific response with respect to the above mentioned aspect.

7. List on 10.09.2025 for further consideration.

3. That in compliance of directions of the Hon'ble Tribunal dated 27.05.2024 and 28.08.2025 , entire record of the case was summoned and examined and report from Land Acquisition Collector,Urban Estates, Gurugram was also sought.

4. That it is respectfully submitted that CWP No.10558 of 2015 titled as Bheem Singh Kashyap & Ors Vs State of Haryana & Ors was originally filed praying inter alia for :-

*Civil Writ Petition under article 226 of the constitution of India for a writ of certiorari quashing Ann.P-2 dated 10.08.2003 and Ann. P-3 dated 10.08.2004 and also for a writ of Mandamus that:-*

i. *A CBI or judicial inquiry as to how 205 houses have been raised to the ground on 12.04.2015 between 8 AM to 4*



- PM by Estate Officer-II, SHO Sadar, Gurgaon, in connivance with Unitech(P) Ltd and Uniworld Garden-II.*
- ii. To Rehabilitate 205 families where their house were in existence in village Fazilpurjharsa*
  - iii. To pay compensation of Rs 205 Crores to all the families living and rendered homeless on 12.04.2015.*
  - iv. To register cases against Estate Officer-II, HUDA, Gurgaon and SHO Sadar, Gurgaon for taking law into their hands in connivance with Uniworld Garden-II and Unitech (P) Ltd by demolishing the houses of the petitioners and rendering them homeless.*
  - v. To hold an inquiry that record of the Estate Officer-II,HUDA Gurgaon have been prepared falsely against the possession of the petitioners and other 199 families being in possession of the land and houses till 12.04.2015 at 8 am and also regarding the payment of compensation not having been deposited*
  - vi. Not to remove petitioners forcibly from the site of village Fatehpur(Jharsa) where houses existed upto 12.04.2015 and to rehabilitate 205 families where their houses were in existence in Fatehpur JharsaVillage .*
  - vii. To restore the drinking water ,shelter and supply and for providing medicines and medical help to the sick families.*
  - viii. A Judicial enquiry by Senior Judicial Officer for cracking nexus between politicians , builders, Bureaucrats and HUDA Deptt Officers Gurugaon and Police Officers and also in the barabarc act of torching the debris and*



*pushing it into the pond(Johar) and pits dug in the houses with the help of JCB's.*

- ix. *Construction of road building and house building may be ordered to be stopped on the 13 acres of land belonging to the petitioners;*

*And*

*Any other writ ,order or direction which this Hon'ble Court may deems fit and proper in the circumstances of the case may be issued .*

A Copy of paper-book of CWP No. 10558 of 2015 is annexed herewith as **Annexure R-3/1**.

5. That perusal of the Paperbook of CWP No. 10558 of 2015 (Annexure R-3/1) would elaborate that following departments/offices have been impleaded in the array of respondents by the petitioners in the CWP No. 10558 of 2015 which is reproduced as under for the kind consideration of the Hon'ble Tribunal :-

- i. State of Haryana through the Financial Commissioner and Principal Secretary to Govt. of Haryana ,Town& Country Planning Deptt. Civil Secretariat ,Chandigarh.
- ii. The Land Acquisition Collector, Urban Development Deptt., Sector 14,Gurgaon.
- iii. Haryana Urban Development Authority, Sector 6, Panchkula through its Chief Administrator .
- iv. HUDA Department , through Administrator ,Gurgaon.
- v. Estate Officer-II, Haryana Urban Development Authority,Sector 34,Gurgaon.

*W. J.*

- vi. Station Head Officer, Sadar, Gurgaon.
- vii. Collector Distt. Gurgaon Cum District Magistrate and Deputy Commissioner of Distt., Gurgaon.
- viii. Commissioner of Police, Gurgaon.
- ix. M/s Unitech (P) Ltd. ,Sector 47, Gurgaon through its Managing Director .
- x. M/s Uniworld Garden-II, Sector 47, Gurgaon through its Managing Director .

6. That land in question in the captioned original application i.e. Khasra No. 6//26 formed subject matter of the CWP No. 10558 of 2015 (Para No. 12 of the CWP No. 10558 of 2015 Annexure R-3/1) along with 6//6(4-13), (7-16), 8(4-4), 14(8-0), 16/2(5-12), 17/1(1-0), 17/2(7-0), 18/1(3-14), 19/1(5-2), 24(8-0) of village Fatehpur Jharsa. These land parcels were acquired vide notifications dated 12.08.2003 and 10.08.2004 issued u/s 4 and 6 of the land acquisition Act 1894 hereinafter referred as 1894 Act followed by award dated 07.12.2005 for public purpose namely Residential and Commercial Sector 47, Gurugram and the possession of the acquired land was taken and handed over by LAC Gurugram to Estate Officer-II, HSVP, Gurugram vide Rapat Roznamcha no. 182 dated 07.12.2005.

7. That petitioners in CWP No. 10558 of 2015 were not owners of the acquired land in question i.e. Khasra No. 6//26 at the time of the acquisition proceeding. The Gram Panchayat of village Fatehpur



Jharsawas owner of the land in question i.e. Khasra No. 6//26 along with other lands as claimed in the CWP No. 10558 of 2015 at the time of the notification dated 12.8.2003 under section -4 . The ownership details of the land in question i.e. Khasra No. 6//26 is reproduced as under for the kind consideration of the Hon'ble Tribunal:-

S.No.	Khasra No.	Owner	Khanakast
1.	3//26min(2-8), 6//26(19-16)	Gram Panchayat Deh Jharsa	Makbuja Vasindgan deh.

8. That an amount of Rs 6570705/- has been paid to Gram Panchayat Jharsa on 30.01.2007 vide cheque no. 294154 for Khasra No. 6//26(19-16) which was Gair Mumkin Jhohar (Pond) and 3//26Min(2-8) which has been showed as Gair Mumkin.
9. That when the CWP No. 10558 of 2015 came for consideration before the Hon'ble High Court at Chandigarh on 25.05.2015, the Hon'ble High Court was pleased to pass following order:-

*"Learned counsel for the petitioners inter alia submitted that land in question is primarily being acquired with mala fide intention to benefit respondents No.9 & 10. It was urged that the petitioners are residents of that area which is being acquired illegally. They being in possession are entitled to retain the same in view of the provisions of the*

*V.L.*

*Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013.*

*Notice of motion to the respondents for 27.07.2015.*

*Notice regarding stay as well. Process dastl only.*

*In the meantime, status quo shall be maintained. It is, however, clarified that it shall be the responsibility of the petitioners to serve the respondents before the date fixed, failing which the interim order shall stand vacated."*

A copy of order dated 25.05.2015 is annexed as **Annexure R/3-2**.

10. That CWP No. 10558 of 2015 came to be admitted on 25.04.2016 before Hon'ble High Court at Chandigarh. A copy of order 25.04.2016 is annexed and marked herewith as **Annexure R-3/3**.

11. That petitioners in CWP No. 10558 of 2015 moved Civil Misc. Application No. 12995 of 2015 in CWP No. 10558 of 2015 before Hon'ble High Court for amendment of the CWP No. 10558 of 2015 and same was allowed by the Hon'ble High Court at Chandigarh vide order dated 05.10.2015. A copy of CM No. 12995 of 2015 and order dated 05.10.2015 are annexed as **Annexure R-3/4** and **Annexure R-3/5**.

12. That it is further respectfully submitted that after amendment in the CWP No. 10558 of 2015 was allowed as submitted above, the



prayer clause stood amended as under in the CWP No. 10558 of 2015:-

- i). *Notice of motion may kindly be issued and record may kindly be summoned.*
- ii). *To issue a writ in the nature of certiorari quashing notification issued under section 4 dated 12.08.2003, Annexure P-2 and also notification issued under section 6 dated 18.08.2004 Annexure P-3 under the Land Acquisition Act, 2013.*
- iii). *A declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Right to fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act o 2013, be made by the Hon'ble Court.*
- iv). *To issue a writ mandamus for a direction to conduct CBI inquiry as to how the 100 years old village Fatehpur Jharsa consisting of 205 house have been raised to the ground on 12.04.2015 between 8 AM to 4 PM in connivance with SGO Sadar, Gurgaon, Estate Officer-II, HUDA, Gurgaon, Unitech(P) Ltd and Uniworld Garden-II.*
- v). *For a direction to rehabilitate 205 families whose pucca houses have been demolished.*
- vi). *For payment of compensation of 205 crores to the 205 families whose houses were demolished illegally.*



- vii). *To register cases against the Estate Officer-II, HUDA, Gurgaon, SHO Sadar, Gurgaon, Unitech(P) Ltd and Uniworld Garden-II.*
- viii). *To hold inquiry that the record of Estate Officer-II, HUDA, Gurgaon has been prepared falsely to take forcibly possession from the petitioners and also regarding payment of compensation on having been deposited.*
- ix). *A writ prohibition may also be issued prohibiting HUDA and Police Department to remove the petitioners from the site of debris in 100 years old village Fatehpur jharsa where their houses were existing till the rehabilitation of 205 families by HUDA in their village Fatehpur Jharsa.*
- x). *A writ restoration of essential services like drinking water and electricity supply and shelter and food to the worst suffers.*
- xi). *Construction of road building and house building may be ordered to be stopped on 13 acres of land owned and possessed by the petitioner.*
- xii). *Any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case.*
- xiii). *Prior notices on the respondents be dispensed with.*
- xiv). *Exemption from filing certified copy of An P-1 to P-49 may kindly be granted.*
- xv). *Costs of petition may kindly be granted.*

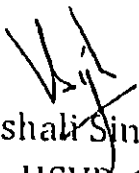


13. That various orders passed by the Hon'ble High Court at Chandigarh in the CWP No. 10558 of 2015 and Civil Misc. Applications preferred by the petitioners in CWP No. 10558 of 2015 are annexed herewith as **Annexure R-3/6**.

14. That it is further respectfully submitted that since order dated 25.05.2015 (R-3/2) is still operating, HSVP is estopped from any action qua Khasra No. 6//26 of Village Fatehpur Jharsa and has maintained status qua as any action by HSVP will be in violation of the order dated 25.05.2015 passed by Hon'ble High Court at Chandigarh in CWP No. 10558 of 2015.

15. That the present affidavit is being filed to place on record the paper-book of CWP No. 10558 of 2015 and its amended petition along with copies of orders passed by the Hon'ble High Court at Chandigarh before this Hon'ble Tribunal for just adjudication of the matter at hand in compliance of directions/observations dated 27.05.2024 and 28.08.2025 in the captioned Original Application.

Date: 09.09.2025  
Place: Gurugram


  
(Vaishali Singh)  
Administrator, HSVP, Gurugram  
On behalf of Respondent No.3

**Verification**

Verified at Gurugram on 10<sup>th</sup> day of September , 2025 that the contents of the above reply are true and correct to my knowledge and belief derived from the official records which I believe to be correct. No part of it is false and nothing has been concealed therein.

Date:09.09.2025

Place:Gurugram

  
(Vaishali Singh )  
Administrator , HSVP, Gurugram  
On behalf of Respondent No.3

13  
53

Annexure R-5/1

0/1

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. 10558 OF 2015

Bheem Singh Kashyap and others .....Petitioners

Versus

State of Haryana and others. ....Respondents.

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Total Court Fee Rs.85.90

1. Law points are in para No. 25 at page number 36 of the Writ Petition.
2. Relevant statutes and rules
  - (i) Constitution of India
  - (ii) Land Acquisition Acts
3. Any other Writ Petition Nil

Note:-1. Whether any caveat has been filed or received to the : Nil  
Knowledge of the petitioner.

2. It is not a petition filed as PIL. <sup>167</sup> petitioners are affected parties who have filed this writ petition.

CHANDIGARH  
DATED: 18.5.2015

(Ranjeet Singh Kang),  
Advocate/P/1231/2013  
COUNSEL FOR THE PETITIONERS.

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3. Any other Writ Petition Nil

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Knowledge of the petitioner.

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CHANDIGARH  
DATED: 18.5.2015

(Ranjeet Singh Kang),  
Advocate/P/1231/2013  
COUNSEL FOR THE PETITIONERS.

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. 10558 OF 2015

Bheem Singh Kashyap and others .....Petitioners

Versus

State of Haryana and others. ....Respondents.

**LIST OF EVENTS**

Sr. No.	Date	Description
1.	-	This petition is being filed by 170 petitioners out of whom 167 are the residents of village Fatehpur (Jharsa). Petitioner no.168 is Ex.Sarpanch of Fatehpur Jharsa also from 1983-2006 and is thus closely associated with the welfare of village Fatehpur(Jharsa). Petitioner no.169 and 170 are the registered body of Rajput Kashyat who are directly interested and affected in the welfare of its members.
2.	4.3.15	That as per the survey conducted by the officials of HUDA between 4.3.15 to 5.3.16, 205 families were residing as per the survey report (Ann.P-1).
3.	-	That all the 205 families belonging to Kashyap community which is declared as backward class, majority of them are illiterate and are farm laborers and are very



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very poor.

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4 25.5.2011 That Fatehpur (Jharsa) is an old village of 100 years existence. The fore-fathers of 205 persons came from Jharsa village and land was given to them and settled there and became Dholdars for the Service rendered by them as held by the Award given by Additional District Judge on 25.5.2011 in LAC case No.359 of 2006. Dholdars have been given the right of ownership by the State of Haryana.

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5. - Abadi Deh is excluded from the definition of Shamlat deh as given in Village Common Land Act, 1961 and therefore 13 acres of land inhabited by the Members of Kashyap community at Fatehpur (Jharsa) cannot be said to be a Shamlat land nor Gram Panchayat becomes its owner. As per the judgment delivered on 25.5.2011 by Ld.Addl.Distt. Judge the compensation has been granted to one of the Dholdar and there has not been any apportionment as demanded by Gram Panchayat, Fatehpur Jharsa.

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6. 12.8.2003 Section 4 notification acquiring land comprised Fatehpur Jharsa was issued (Ann.P-2). Objections under section 5A of Land Acquisition Act were filed and the land acquisition collector made recommendation to the State Govt. that Pucca houses and buildings have been

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constructed prior to Section 4 notification. Notification and land under pucca houses may not be acquired. Houses have been constructed prior to Section 4 notification.

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7. 10.8.2004 Notification under Section 6 of the Land Acquisition Act was issued that the land of village Fatehpur Jharsa is acquired for development and utilization of land for residential and commercial in Sector 47, Gurgaon. The land of the petitioners were acquired in spite of the fact that the Pucca houses were standing on the acquired land and 205 families were residing in the 100 years old village.

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8. - That in reply to Section 9(2) notice under the Land Acquisition Act, land owners submitted their objections (Ann.P-4).

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9. 7.12.2005. The land Acquisition Collector made and announced the Award on 7.12.2005 including 13 acres of 205 families where their fore-fathers and they have constructed their houses and residing therein since 100 years (Ann.P-5). Possession has remained throughout with the petitioners but a report no.182 dt. 7.12.2005 was made according to which entry Rojnamcha Wakayati of Patwari Halqa, Wazirabad. It is strange that Halqa Patwari of village Jharsa is a separate Halqa Patwari and not Halqa Patwari

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of Wazirabad is connected. The only entry in record has been made but no possession by any means have been taken from the petitioners. It is a only a symbolic possession which have been shown to have been taken. It is only a paper entry. The petitioners were neither dispossessed not actual physical possession were taken from them.

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10. - That the petitioners were not paid compensation nor they have received the compensation. The amount of compensation had not been deposited in the court nor the petitioners were ever informed.

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11. 1.1.2014 The right to fare compensation and transparency in land Acquisition and Rehabilitation Act, 2013 was notified and came into effect. As per Section 24(2) the acquisition proceedings initiated under the Land Acquisition Act shall be deemed to have been lapsed. The petitioners fulfills both the conditions of Section 24(2). Award has been made on 7.12.2005. More than 5 years have lapsed. Actual physical possession has been throughout with the petitioners. No compensation has been paid to them. Nor it has been deposited in any court. Therefore, the acquisition of land can be said to have lapsed and there is thus no acquisition of Fatehpur Jharsa land.

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12. - That during the course of proceedings the petitioners made efforts for the release of land and Ann.P-18A was prepared by the LAO. Reference to Ann.P-18A may kindly be made in this regard.
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13. 2011. In 2011, an attempt was made by HUDA for demolition of houses but on representation by the petitioners and assurance was given that no demolition would take place in future and petitioners shall be allowed to continue and reside in their houses. The residential area spread over 13 acres of land with houses all around with the little notification here and their.
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14. 11.3.15 A undated notice was pasted on various place in the various place of Fatehpur Jharsa and also distributed amongst the village about 6.00 PM. The notice was regarding vacation of the village within 24 hours failing which forcible removal of villagers shall take place. Residential area spread over 13 acres of land with some houses of petitioners is pictorially represented vide Ann.P-6 to P-18 clearly show that the houses existed uptill 11.4.2015 and the residents were residing therein.
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15. 12.4.15 Before the expiry of 24 hours, Police force in large number, HUDA employees, bouncers by 2 builders namely Unitech Pvt.Ltd. and Uniworld Garden-II surrounded the village. Ladies and gentlemen of village
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were caught, beaten and taken away for unknown places.

Police force came from Narnaul, Bahadurgarh and Faridabad. 6JCBs, 4 tractor trolleys and 2 fire brigade were on spot in demolition process. Pucca houses with domestic articles were completely demolished. Bouncers were let loose and houses were razed into plain and residences were made homeless. The residences of village belonging to BPL family. Kashyap caste is a backward class. Local Polic and HUDA Employees, Gurgaon committed atrocities with children, women and elderly men. Live stock, Buffalo and cows beaten and driven away from the village. Loss in crores were caused by destructions of Pucca houses and Households goods. Essential services, like water, electricity and public health amenities were stopped and they had threatened the villagers to vacate the village, failing which they would be involved in false criminal cases. Human rights, children and women rights were all violated completely.

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16. . -

That it may be submitted that multi storey flats of builders of Unitech Pvt.Ltd. and Uniworld Garden-II are complete on the side of the village. The two builders have hatched a conspiracy with HUDA and Police. Police and Senior Leaders of BJP are bent upon to grab the prime land. Money has gone in hand to Police Deptt.

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and also to HUDA. Sh.Vijay Kumar was SHO Sadar, Gurgaon. Ms.Anita Yadav was the Administrator HUDA, Gurgaon and Sh.Tarun Kumar Pawaria was Estate Officer-II, HUDA, Gurgaon. Some of the household goods and jewellery were forcibly taken away by HUDA Deptt. Electricity and Water meters were taken away by some of HUDA employee during demolition. It was a complete mess and bedlam perpetuated everywhere. Democracy was murdered. Residents were forced to live in open after demolition. It may be submitted that house tax receipts, electricity bills are there. Voter identity cards and Ration cards of the residents were made many years ago. The villagers lived on the debri in the open of their houses. The photograph of debri from Ann.P-22 to P-46 may kindly be seen. One Harish Kumar Ex.Patwari in LAO office and now in HUDA was present to supervise the demolition process. (Ann.P-26 to P-46).

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17. That the petitioners sent representation to 17 authorities on 13.4.15 detailing out their agony and helplessness (Ann.P-47). The National Press also noticed agony and sufferings of 205 families of village Fatehpur Jharsa. The Hindu English Daily dt. 13.4.15 carried the news. (Ann.P-48). The petitioners sent representation to the 17 authorities giving all the details of the incidents about
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demolition of the houses (Ann.P-49).

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18. The National Human Right Commission asked the Chief Secretary, Haryana Govt. and also DGP Haryana Govt. on Action Taken Report on the complaint filed by the residents of the village (Ann.P-50 and 51).

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19. 15.5.15 The respondents proceeded to commit atrocities and violation of all human right on 15.5.2015. Reference to para 23 of writ petition may kindly be made in this respect. Photographs taken on 15.5.15 showing the presence of Police, JCBs, Household goods, water cannon and removal of debri by the help of JCBs etc. is pictorially represented (Ann.P-52 to 58). The question of law have been submitted in para 25 of the writ petition. Article 21 of the Constitution of India give right to live has been completely violated to the minutest details.

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#### CHALLENGE.

The challenge in this writ petition is that the petitioners are residents - Dholders of the village. Fatehpur Jharsa the village is 100 years old village. The forefathers and now the petitioners have been living there since very very long time. The houses have been constructed much prior to Section 4 notification. It is abadi deh. They have become the owners of land by virtue of declaration that Dholders are owner of the land. It is no more a Shamlat land. Section 24(2) is fully applicable in the present case. The acquisition proceedings shall be

deemed to have lapsed, hence no acquisition. The Houses had been constructed much prior to date of Section 4 notification. Report of land Acquisition Collector under Section 5A may also be perused from the record of State Govt. In connivance with Unitech Pvt.Ltd. and Uniworld Garden-II and Haryana Police, HUDA Employees, Bouncers and machinery employed by the respondents have razed the houses of resident to land. The atrocities committed by the respondents in connivance with each other is stated in para 15 and also in para 23 of the writ petition. All women rights have been violated. Women, children, old people, pregnant ladies have been left in the open, threatened, harassed, beaten and taken into custody etc. On the other hands, cases have been registered by Police against villagers. A CBI inquiry or an inquiry by Senior Judicial officer is requested to be constituted to know the truth about the connivance of the builders with HUDA and Police. The residents are living in the open on the land. The democracy and welfare State concept may kindly be seen in 21 century. Various reliefs have been prayed for. Now they are constructing the roads and buildings over 13 acres of land. Article 21 of the constitution of India have been completely violated.

CHANDIGARH  
DATED: 18.5.15

(Ranjeet Singh Kang)  
ADVOCATE  
ENRLT.NO.P/1231/2013  
COUNSEL FOR THE PETITIONERS

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. 10538 OF 2015

1. Bheem Singh Kashyap s/o Moji Ram Kashyap
2. Raghbeer Kashyap S/o Chandra Prakash Kashyap.
3. Ram Rati Kashyap W/o Sultan Kashyap.
4. Babli Kashyap W/o Ashok Kashyap
5. Sonu Kashyap s/o Sultan Kashyap
6. Krishan Kashyap s/o Mange Ram Kashyap
7. Rakesh Kashyap s/o Mange Ram Kashyap.
8. Laxmi Devi Kashyap D/o Mange Ram Kashyap
9. Balwan Kashyap s/o Raghbir Kashyap.
10. Krishan Kashyap s/o Balwan Kashyap.
11. Tejpal Kashyap s/o Ganga Ram Kashyap.
12. Prem Chand Kashyap s/o Ganga Ram Kashyap.
13. Jagdish Kashyap s/o Raghbee Kashyap.
14. Sandeep Kashyap. s/o Rajendra Kashyap.
15. Rajendra Kashyap s/o Ganga Ram Kashyap.
16. Anil Kumar Kashyap s/o Sh. Ram Pat Kashyap.
17. Sunil Kashyap s/o Sh. Ram Pat Kashyap.
18. Ram Pat Kashyap s/o Gyani Ram Kashyap.
19. Ram Pal Kashyap s/o Gyani Ram Kashyap.
20. Pradeep Kashyap s/o Ram Pal Kashyap.
21. Laxmi Devi Kashyap W/o Bal Kishan Kashyap.
22. Satbeer Kashyap S/o Chandra Prakash Kashyap.
23. Manoj Kashyap. s/o Satbeer Kashyap.

24. Sant Ram Kashyap. S/o Soji Ram Kashyap.
25. Narsi Kashyap. S/o Sant Ram Kashyap.
26. Satbeer Kashyap. S/o Soni Ram Kashyap.
27. Monu Kashyap S/o Prem Chand Kashyap
28. Krishan Kashyap. S/o Chandra Kashyap.
29. Mahender Singh Kashyap S/o Soji Ram Kashyap.
30. Ramesh Kashyap. S/o Amar Singh Kashyap.
31. Jitender Kashyap. S/o Ramesh Kashyap.
32. Sandeep Kashyap. S/o Raghbeer Kashyap.
33. Suraj Kashyap. s/o Amar Singh Kashyap.
34. Sunder Kashyap. S/o Gyani Ram Kashyap.
35. Virender Kashyap. S/o Sunder Kashyap
36. Amit Kashyap. S/o Sunder Kashyap.
37. Mohan Singh Kashyap S/oAmar Singh Kashyap.
38. Rajesh Kashyap S/o Amar Singh Kashyap.
39. Ratan Lal Kashyap. s/o Ram Swroop Kashyap.
40. Sanjay Kashyap. S/o Ratan Lal Kashyap.
41. Narender Kashyap. S/o Chotu Ram Kashyap.
42. Mahesh Kashyap. s/o Hari Prasad Kashyap.
43. Rohtash Kashyap S/o Mahesh Kashyap.
44. Vikram Kashyap S/o Mahesh Kashyap.
45. Naveen Kashyap S/o Santram Kashyap.
46. Om Prakash Kashyap. S/o Mahender Singh Kashyap
47. Mahesh Kashyap S/o Udey Chand Kashyap.
48. Ballu Kashyap S/o Udey Chand Kashyap.
49. Vinod Kashyap S/o Satbeer Singh Kashyap.
50. Hukam Singh Kashyap S/o Thakeria Kashyap.
51. Ratam Singh Kashyap S/o Hukam Singh Kashyap
52. Krishan Kashyap s/o Ratan Singh Kashyap.

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53. Sonu Kashyap. S/o Ratan Singh Kashyap.
54. Surender Kumar Kashyap S/o Ratan Singh Kashyap
55. Gajender Kashyap. S/o Ratan Singh Kashyap.
56. Prem Kumar Kashyap. S/o Ratan Singh Kashyap.
57. Daya Ram Kashyap. S/o Hukam Kashyap Singh
58. Ajay Kumar Kashyap. S/o Daya Ram Kashyap.
59. Karamveer Kashyap. S/o Hukam Singh Kashyap.
60. Manoj Kashyap. S/o Karamveer Kashyap
61. Cheenu Kashyap. S/o Daya Ram Kashyap.
62. Krishan Gopal Kashyap. S/o Ram Kishan Kashyap
63. Vikas Kashyap S/o Krishan Gopal Kashyap
64. Kailash Kashyap. S/o Krishan Gopal
65. Tika Ram Kashyap. S/o Ganga Ram
66. Asha Devi Kashyap. D/o Krishan Gopal
67. Suresh Kashyap. S/o Ram Kishan
68. Sonu Kashyap. S/o Suresh
69. Krishan Kumar Kashyap s/o Suresh
70. Dharam Pal Kashyap. S/o Baljeet
71. Mahaveer Kashyap S/o Khajan Singh
72. Rambeer Singh Kashyap S/o Ram Kshian
73. Maha Singh Kashyap. S/o Amar Singh
74. Nand Kishor Kashyap S/o Balbeer Singh
75. Krishan Kashyap S/o Balbeer Singh
76. Jyoti/Manju Kashyap. d/o Ram Pal
77. Ashok Kumar Kashyap S/o Narayan Singh
78. Chand Kashyap S/o Narayan Singh
79. Radhey Shyam s/o Narayan Singh
80. Sonu Kashyap S/o Narayan Singh
81. Bhagwati Kashyap W/o Banti

82. Pappu Kashyap. S/o Tare
83. Dilbagh Singh Kashyap S/o Tare
84. Sunny Kashyap. S/o Dilbagh Singh
85. Dayanand Kashyap S/o Udey Chand
86. Rakesh Kashyap S/o Dayanand
87. Kishan Pal Kashyap. S/o Bhagwan Sahib
88. Ashwani Kashyap s/o Dr.Kanwar Pal
89. Pradeep Kashyap. S/o Ram Chander Singh
90. Dharambeer Kashyap. S/o Mamchand
91. Sonu Kashyap S/o Dharambeer
92. Ashok Kumar Kashyap S/o Dharambeer
93. Naveen Kashyap. S/o Dharambeer
94. Vijay Kashyap. S/o Mamchand
95. Rajbeer Kashyap S/o mamchand
96. Satbeer Kashyap S/o Tek Chand
97. Beer Singh Kashyap. S/o Satbeer
98. Balram Kashyap. S/o Satbeer
99. Narender Kashyap. s/o Satbeer
100. Vikaram Kashyap. S/o Satbeer
101. Sukhbeer Kashyap. s/o Tek chand
102. Charan Singh Kashyap. S/o Tek Chand
103. Rajender Kashyap S/o Tek Chand
104. Cuptan Singh Kashyap. S/o Tekchand
105. Hawa Singh Kashyap S/o Tekchand
106. Jagbir Kashyap s/o Dulichand
107. Jai Prakash Kashyap s/o Ram pat
108. Bijender Kashyap S/o Ram Pat
109. Jai Bhagwan Kashyap S/o Ram Pat
110. Shyamo Devi Kashyap w/o Ram Pal

111. Mohan Singh Kashyap S/o Ram Pal
112. Navraj Singh Kashyap s/o Ram Pal
113. Anil Kashyap s/o Bagru
114. Chand Kashyap s/o Bagru
115. Dharmender Kashyap s/o Bagru
116. Ram Kumar Kashyap s/o Teja
117. Ram Niwas Kashyap S/o Ram Kumar
118. Ravi Kashyap s/o Ram Niwas
119. Dinesh Kashyap S/o Ram Kumar
120. Rajesh Kashyap s/o Ram Kumar
121. Ramesh Kashyap S/o Teja
122. Satish Kashyap S/o Ramesh
123. Kamal Kashyap s/o Ramesh
124. Rajbeer Kashyap s/o Chander Prakash
125. Anand Kashyap S/o Rajbeer
126. Rohit Kumar Kashyap S/o Rajbeer
127. Ranivati Kashyap W/o Bagru
128. Sukhbeer Singh Kashyap s/o Attar Singh
129. Attar Singh Kashyap s/o Lachi Ram
130. Monu Kashyap S/o Attar Singh
131. Suraj Kashyap S/o Bharat Singh
132. Babu Lal Kashyap S/o Ram Kala.
133. Budhram Kashyap S/o Leelu Ram
134. Devinder Kashyap S/o Laxman Singh
135. Ranbeer Kashyap S/o Balbeer Singh
136. Surinder Kashyap S/o Laxman
137. Phoolvati w/o Laxman Singh
138. Suraj Bhan Kashyap s/o Laxman
139. Puran Mal Kashyap S/o Madan Lal

140.	Brij Gopal Kashyap	S/o Madan lal
141.	Ramesh Kashyap	s/o Moti Ram
142.	Satbeer Kashyap	S/o Deep chand
143.	Vinod Kumar Kashyap	S/o Suraj Bhan
144.	Sushil Kumar Kashyap	S/o Suraj Bhan
145.	Vakeel Kumar Kashyap	S/o Suraj Bhan
146.	Kela Devi Kashyap	W/o Puppon
147.	Gecta Devi Kashyap	d/o Shree Chand
148.	Beero Kashyap	D/o Moji Ram
149.	Bittu Kasyap	S/o Kishan Lal
150.	Rani Kashyap	W/o Bhola
151.	Jagga Kashyap	S/o Chattar Singh
152.	Sunil Kashyap	S/o Dilbagh Singh
153.	Dharmunder Kashyap	S/o Dhanesh Chand
154.	Vicky Kashyap	S/o Kishan Lal
155.	Dilip Kashyap	S/o Mangal Ram
156.	Rajender Kashyap	Jagge Ram Kashyap
157.	Karan Singh Kashyap	s/o Madu
158.	Dharambeer Kashyap	S/o Raje Kashyap
159.	Monu Kashyap	S/o Raje Kashyap
160.	Anand Pal Kashyap	s/o Kishan Pal Kashyap
161.	Jitender Singh Kashyap	S/o Ramchander Singh Kashyap
162.	Lok Ram Kashyap	S/o Jaganath.
163.	Shiv Charan Kashyap	s/o Ram Kala.
164.	Ashok Kashyap	s/o Karan Singh
165.	Kallu	s/o Ram Kala
166.	Subhash Kashyap	s/o Ghunnay
167.	Ravi Kashyap	S/o Raghbeer Kashyap

All Residents of Village & P.O. Fatehpur (Jharsa), Distt.  
Gurgaon, Haryana.

168. Khazan Singh, Advocate s/o Brij Lal, Ex.-Sarpanch, Fateypur (Jharsa) from 1983-2000 resident of Jharsa, Tehsil and District Gurgaon.
169. Residents Welfare Association, Jharsa (Regd.), Newar Zaildar Complex, Jharsa Road, Gurgaon through Sh.Nand Kishore s/o Sh.Balbir Singh.
170. Haryana Rajput Sabha (Regd.No.184), Head Office, Haryana Kashyap Rajput Dharamshala, Kurukshetra (Haryana), through Sh.Pardeep Singh Kashyap State Vice President.

.....Petitioners

Versus

1. State of Haryana through the Financial Commissioner and Principal Secretary to Govt. Haryana, Town and Country Deptt. Civil Secretariat, Chandigarh.
2. The Land Acquisition Collector, Urban Development Deptt., Sector 14, Gurgaon.
3. Haryana Urban Development Authority, Sector 6, Panchkula through its Chief Administrator.
4. HUDA Department, through Administrator, Gurgaon, Sector 14, Gurgaon.
5. The Estate Officer-II, Haryana Urban Development Authority, Sector 34, Gurgaon.
6. Station House Officer, Sadar, Gurgaon.
7. Collector, Distt. Gurgaon-cum District Magistrate and Deputy Commissioner of Distt., Gurgaon.
8. Commissioner of Police, Gurgaon.
9. M/s.Unitech (P) Ltd., Sector 47, Gurgaon through its Managing Director.
10. M/s.Uniworld Garden-II, Sector 47, Gurgaon through its Managing Director.

....Respondents.

CIVIL WRIT PETITION under Article 226 of the Constitution of India for a writ in the nature of certiorari quashing Ann.P-2 dated 12.8.2003 and Ann.P-3 dated 10.8.2004 and also for a writ of mandamus that –

- i) A CBI or Judicial inquiry as to how 205 houses have been razed to the ground on 12.4.2015 between 8 AM to 4 PM by Estate Officer-II, SHO Sadar, Gurgaon, in connivance with Unitech (P) Ltd. and Uniworld Garden-II.
- ii) to Rehabilitate 205 families where their houses were in existence in village Fatehpur Jharsa.
- iii) To pay compensation of Rs.205 crores to all the families living and rendered homeless on 12.4.2015.
- iv) To register cases against Estate Officer-II, HUDA, Gurgaon and SHO, Sadar, Gurgaon for taking law into their hands in connivance with Uniworld Garden-II and Unitech (Pvt.)Ltd. by demolishing the houses of the petitioners & rendering them homeless.
- v) to hold an inquiry that the record of the Estate Officer-II, HUDA, Gurgaon have been prepared falsely as against the possession of the petitioners and other 199 families being in possession of the land and

houses till 12.4.2015 at 8 AM and also regarding the payment of compensation not having been deposited.

vi) not to remove the petitioners forcibly from the site of village-Fatehpur (Jharsa) where their houses existed upto 12.4.2015 and to rehabilitate 205 families where their houses were in existence in Fatehpur Jharsa village.

vii) To restore the drinking water, shelter and supply of electricity supply and for providing medicines and medical help to the sick families.

viii) A Judicial enquiry by Senior Judicial officer for cracking nexus of Politicians, builders, bureaucrats and HUDA Deptt. Officers, Gurgaon and Police Officers and also in the barbaric act of torching the debries and pushing it into the pond (Johar) and pits dug in the houses with the help of JCBs.

ix) Construction of Road building and house building may be ordered to be stopped on the 13 acres of land belong to the petitioners;

And

any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case be also issued.

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**RESPECTFULLY SHOWETH.**

1. That the petitioners are the citizen of India and hence they are entitled to invoke the extra-ordinary writ jurisdiction of this Hon'ble Court as the acquired land was owned and possessed by the petitioners no.1 to 167, who are the residents of village Fatehpur (Jharsa). The petitioner No.168 is the Ex.Sarpanch from 1983 to 2006 of village (Jharsa) in Gurgaon and is thus very closely associated with the welfare of village Fatehpur (Jharsa). The petitioner No.169 is the Residents Welfare Association, Jharsa which is a Registered Body of Rajput Kashyap whose Members' houses have been demolished and torched and hence the Association is also directly interested and affected in the welfare of its Members. Petitioner No.170 is the Haryana Kashyap Rajput Sabha, which is also a registered body and looks after the interest of Kashyap Community of Haryana. The members of Kashyap community are also the member of Haryana Kashyap Rajput Sabha and Pardeep Singh Kashyap has been authorised to file the petition. The resolution passed by Residents Welfare Association, Jharsa and Haryana Kashyap Rajput Sabha are attached herewith. A survey was conducted by the officials of HUDA, Gurgaon between 4.3.15 and 5.3.15 As per the List there are 205 families residing at village Fatehpur (Jharsa). The survey list also shows the number of family members of each family. Copy of the List of Residents of village Fatehpur (Jharsa), Sector 47, Gurgaon (HR) is attached as Ann.P-1. Majority are illiterate and are Farm labourers and are very very poor men.

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2. That Fatehpur (Jharsa) is an old village of 100 years existence. Residents of the village fled because of English regime due to atrocities in 1857. Fatehpur, Bindapur and Adampur were soon declared be-Chirag after 1857. The forefathers of 205 persons came from Jharsa village and land was given to them and settled there and became Dholdars for the Service rendered by them as held by the Award given by Additional District Judge on 25.5.2011 in LAC case No.359 of 2006. The finding on issue No.2 in LAC case No.359 of 2006 is reproduced below :-

"ISSUE NO.2.

14. Devender, SPA of petitioner Laxman Singh while appearing as PW1 has testified that petitioners have been coming in possession of the land in question situated within the revenue estate of village Fatehpur Jharsa, Tehsil and Distt. Gurgaon as Dholdars since more than 100 years i.e. since the time of their ancestors. The land was given to the ancestors of the plaintiffs on account of rendering services and maintenance of Johar/Village Pond. The petitioners had also filed a civil suit titled as Laxman Vs. Gram Panchayat which was dismissed vide order dated 18.9.2004 by the court of Smt.Rachna Gupta, the then Civil Judge, Gurgaon. However, the petitioners preferred an appeal against the said judgment and decree and the appeal was partly accepted vide judgment dated 19.10.2005, wherein it was held that petitioner has been coming in possession of the land in question since the time of their ancestors as Dholdars and have

constructed their residential houses thereon since more than 60 years. The land was given to the petitioners as Punarth. This witness has proved copies of judgments Ex.P1 and Ex.P2.

15. In judgment Ex.P2 passed in Civil Appeal No.64 of 2004, titled as Laxman Singh Vs. Gram Panchayat etc. by the court of Sh.Balbir Singh, the then ADJ, Gurgaon, the status of the plaintiff Laxman Singh herein petitioner has been considered as Dholdars of the property qua the share of Duli, as mentioned in the revenue record.

16. In view of the aforesaid as well considering the judgment passed vide Ex.P2, Laxman Singh, petitioner is held entitled to receive the enhanced amount of compensation as Dholdar of the property qua the share of Duli, as mentioned in the revenue record. This issue is decided accordingly.”

That as per decision of State Government Dholdars have been conferred the right of ownership and therefore, Dholdars are the owners of the land and Gram Panchayat Jharsa).

IT is further submitted that it is the Fatehpur (Jharsa) where the petitioners are residing as Abadi Deh and Abadi Deh has been excluded from Shamlat land, therefore, it is not Shamlat Deh, so Gram Panchayat, Fatehpur (Jharsa) does not have any right over the land since, it is not Shamlat Deh and the petitioners being the Dholdars are owners of the land.

The village Fatehpur is inhabited by Kashyap Community which is Backward Class. 90 years old Jai Ram Kashyap and 82 years old

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Hukam Singh Kashyap born in village Fatehpur Jharsa and are still alive. Police carnage and illegal demolition on happened 12.4.2015. Both the senior citizen and senior most members of village, Fateypur Jharsa and are shocked at are under mental stress and tension.

100 years Old village Fatehpur Jharsa is the only green lung with old green trees standing in old village Abadi area while on all four sides of village Fateypur Jharsa Multi-storey buildings are standing and in case of illegal acquisition, it will badly affect the environment of the area. In case a Judicial Enquiry by some Senior sitting Distt. & Session Judge is sent for Local Imputation of the demolition of the very old village Abadi, Green lungs and existing old temples (Shiv Temple and Shemi Temple) and old Johar and old Houses and their debri will send volumes of high handedness of HUDA Deptt., Gurgaon and the nexus of big Builders, bureaucrats, Politicians and high Police Officers. It is a land scam of more than 500 crore and all is managed by land Jharks like Uniworld Garden-II and Unitech in nexus with bigwigs of Haryana and only Judicial Enquiry can expose this land scam of demolition of 100 years old village Fatehpur Jhasra.

In the year 2011, an attempt of demolition was made by HUDA Deptt. but with the help of petitioner no.168, our 100 year old village was saved from demolition. He played a vital role as Ex.Sarpanch, Advocate and spokes person of Haryana Pardesh Congress Committee. In 2008 village Jharsa, Fatehpur Jharsa merged in Municipal Corporation, Gurgaon and now they are under M.C.Gurgaon

3. That there was a joint Panchayat of 4 villages namely Jharsa, Fatehpur (Jharsa), Bindapur (Jharsa) and Adampur (Jharsa) before 2008, they used to be only one joint Panchayat of which petitioner no.168 remained Sarpanch from 1983 to 2000. Elections were held in 1983, 1988, 1991 and 1996 till 2000 and every time, the petitioner no.168 was elected Sarpanch of the village. He, therefore, being a resident of Jharsa is deeply interested as old Sarpanch of the Gram Panchayat of the 4 villages and hence he has joined in the array of the petitioners. Petitioner no.168 is an advocate and spokes person of Haryana Pardesh Congress Committee:

4. That the State of Haryana through Special Secretary to Govt. of Haryana, Urban Estate Department issued a notification under Section 4 of the Land Acquisition Act dated 12.8.2003 intending to acquire the land for a public purpose - for development and utilization of land for residential and commercial, Sector 47, Gurgaon interalia village Fatehpur (Jharsa) Had Bust No.89, Tehsil and Distt. Gurgaon. A copy of the notification issued under Section 4 of the Land Acquisition Act is attached as Ann.P-2.

5. That the residents of village filed objections under Section 5A of the Land Acquisition Act and the Land Acquisition Collector made a recommendation to the State Govt. that pucca houses and building constructed prior to Section 4 notification are standing on the land under acquisition and that may be not acquired.

6. That thereafter State Govt. vide notification dated 10<sup>th</sup> of August, 2004 issued notification under Section 6 of the Land Acquisition act made a declaration interalia acquiring the land of village Fatehpur (Jharsa) for development and Utilization of land for residential and commercial Sector 47, Gurgaon. Copy of the notification dated 10<sup>th</sup> of August, 2004 is attached as Ann.P-3. The land of the petitioners was acquired in spite of the fact that Pucca houses were standing on the acquired land and 205 families were residing in the 100 years old village.

7. That notice was issued under Section 9(2) of the Land Acquisition act and the land owners submitted their objections under Section 9(2) of the Land Acquisition Act. Copy of the objections filed under Section 9(2) of the Land Acquisition Act is attached as Ann.P-4.

8. That the Land Acquisition Collector made and announced the Award on 7.12.2005 awarding the compensation of land measuring 35.51 acres of land including 13 acres of the 205 families where they have constructed their houses and resided therein. In the Award dated 7.12.2005, it is mentioned that the possession of the land has been taken over through this Award after offering amount of compensation of land vide Report no.182 dated 7.12.2005 which is entered in Rojnamcha Vakyati of Patwari halqa Wazirabad while the Halqa Patwari of village Jharsa is separate Halqa Patwari. It is, therefore, respectfully submitted that symbolic possession by Patwari halqa vide rapat no.182 dated 7.12.2005 has been shown to have been taken. This was only a symbolic

possession. Propossession of land could be taken by HUDA where the award has been announced. It is only a paper entry. The petitioners were neither dispossessed nor actual physical possession was taken from them. Copy of the Award is attached as Ann.P-5.

9. That some of the residents have filed application under Section 18 of Land Acquisition Act for enhancement of compensation and Gram Panchayat pressed for apportionment of Compensation where the compensation was enhanced to Rs.660.00 per sq.yards. Execution was filed by them and it has come on record that the amount of compensation of other land has been deposited in the LAC Account. No amount of compensation as envisaged by the various judgments of the Hon'ble Supreme Court has been paid to other residents or deposited in the court. Thus amount of compensation has not been paid nor received nor deposited in the court.

The petitioners submit that out of 205 residents, under deceitful means only a few have received the compensation but they have continued to reside in their houses in the village till 12.4.2015.

10. That The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Re-settlement Act, 2013 was brought on Statute Book and it was notified on 1st of Jan.,2014 (hereinafter called the new Act). The relevant provisions of Section 24 of the Land Acquisition are reproduced below for facility of reference:-

"24. (1) Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894:-

(a) Where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply; or

Where an award under said section 11 has been made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

(2) Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894, where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid, the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

Provided that where an award has been made and compensation in respect of a majority of land holdings has

not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Lana Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act."

As per Sub-section 2, the Acquisition shall be deemed to have lapsed. In the present case because the Award had been made on 7.12.2005 and physical possession of land has not been taken from the petitioners. It is correct that compensation to ten persons which have been mentioned in the preceding paragraphs have been paid but they continued to remain in physical possession of the houses till 12th of April, 2015 and therefore, the acquisition of land under Section 24 of the new Act shall be deemed to have lapsed. It may be submitted that Laxman (deceased) through his L.Rs. and his sons etc. (numbering-only 4) have received the compensation as stated above under deceitful means.

11. That the petitioners have been making efforts to have the land released but nothing concrete came out of the efforts. However, the LAO filled up the proforma and sent to the Govt. giving of various details like filing of 5A objections, existence of houses before Section 4 notification, his recommendation by the release of houses by HUDA/Govt. Copy of the proforma is attached as Ann.P-18A. In the year 2011, an attempt was made by HUDA Deptt. for demolition of the homes but the efforts of petitioner No.168 and petitioners representation

of the petitioners, an assurance was given that no demolition shall take place in future and petitioners shall continue to remain and reside in their houses. Petitioner No.168 being Ex.Sarpanch of this village and being spokes person of Haryana Pardesh Congress Committee alongwith villagers of Fateypur Jharsa raised this issue and the then Govt.left the village.

12. That residential area spread over 13 acres of land with houses all-around with little cultivation here and there is pictorially represented by a photograph attached as **Ann.P-6**. The 13 acres is mentioned belongs Khewat No., Kila no./Khasra no.6//3/2, 4, 6, 7, 8, 14, 16/2, 17/1, 17/2, 18/1, 19/1, 24, 26, Rect.No.3, Kila no.26, Rect.no.6, Kila no.3/1, 3, Kila no.7, Rect.No.5, Kila no.20/1 (3-11).

13. That existence of some of the houses and the residents are depicted by the photographs which are attached as **Ann.P-7 to P-18**.

14. That suddenly a undated Notice was pasted at various places in the village Fatehpur (Jharsa) and also distributed amongst the residents of the village at 6 PM on 11.4.2015 to the effect that illegal possession of the land which belongs to HUDA Department and therefore, you are requested to vacate the land within 24 hours, otherwise HUDA Deptt. will forcibly remove you from the land and the houses encroached upon. The copy of the notice pasted and distributed in the village is attached as **Ann. P-19**.

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15. That before the expiry of the 24 hours, at 8.00 AM on 12.4.2015 large Police Force - hundreds in numbers including lady police, HUDA Deptt. employees, bouncers by the two builders namely Unitech (P) Ltd. and Uniworld Gaden-II surrounded the village, ladies and youngsters of village were caught, abused and were taken into illegal custody and they were taken away at unknown places upto 4 PM. Police force came from Namaul, Sonapat, Ballabhgarh and Faridabad as known from reliable sources. The Police and HUDA Deptt. deployed 6 JCBs, 4 Tractor Trolleys and 2 Fire Brigade vehicles on the spot for the mission of demolition. 205 pucca houses with domestic articles were completely demolished. Bouncers were let loose. The Houses were destroyed completely and turned into plain land and residents were made scape goats and homeless. It may be submitted that the residents of the village belong to BPL families. They belong to Kashyap caste which is a backward class. Local Police and HUDA employees of Gurgaon, committed atrocities on women, children, elderly men and youngsters. Live stock-buffalos & cows beaten and driven out of the village. They caused loss of more than 205 crores by destroying the pucca houses of Fatehpur (Jharsa), household goods and live-stock. Essential services like water, electricity and public health amenities were stopped and they threatened the villagers to vacate the village and otherwise they would be caught and involved in false cases. Human Right, Children Right and Women Right were violated completely. Fatehpur (Jharsa) village is spread over 13 acres of land. Multi storey flats of the builders and capitalists like Uniworld Garden-II and Unitech (P) Ltd. are built on the

side of the village. Big builders like Uniworld Garden-II and Unitech (P) Ltd. have hatched a criminal conspiracy with HUDA Department, Sr. Leaders of BJP etc. to grab the land of prima importance. It may be submitted that small village of 100 years Old existence was razed to the ground. Money has gone from big hands to Police deptt. and also to HUDA. Sh. Vijay Kumar was the SHO, Sadar, Gurgaon and Ms. Anita Yadav was the Administrator of HUDA, Estate Officer-II, HUDA, Tarun Kumar Paweria, Gurgaon at the relevant time. The household articles and jewellery were forcibly taken over by the HUDA Deptt. Electricity and Water meter were illegally disconnected. The HUDA employees have also taken electric and water meters, jewellery and costly articles with them. The villages have never witnessed such a shameless scene. Democracy was murdered. The residents were forced to live in the open. The village was earlier a part of 4 village namely Jharsa, Fatehpur (Jharsa), Bindapur (Jharsa) and Adampur (Jharsa) which constituted one Panchayat. House tax receipts, electricity bills are there. Voter Identity cards and Ration Cards of the residents have been made many years ago. The villagers are living in the open on the debris of their houses. The petitioners are annexing the photographs showing the demolished houses, debris of the houses, house hold articles, etc. from Ann.P-20 to P-46. Sh. Harish Kumar Ex-patwari in L.A.O. office and now in the office of HUDA shown in Ann. P-45 was present also to supervise the demolition process.

16. That the petitioners on demolition of their houses sent their representation to 17 Authorities concerned on 13.4.2015 namely -

S.H.O., Sadar, Gurgaon, Deputy Commissioner, Gurgaon, Police Commissioner, Gurgaon, Commissioner, Municipal Corporation, Gurgaon, Director General of Police, Haryana, Panchkula, Chief Minister, Haryana Government, Chandigarh, His Excellency, The Governor of Haryana State, Chandigarh, Hon'ble Prime Minister, Govt. of India, New Delhi, His Excellency, The President of India, New Delhi, Chairman, Human Right Commission, Govt. of India, New Delhi; Chairman, Women Commission, Govt. of India, New Delhi; Chairman, Minor Children Commission, Govt. of India, New Delhi; Chairman, Women Commission, Haryana, Panchkula; Human Right Commission, Chandigarh; Chairman, Lokayukta, Haryana, Chandigarh; Hon'ble the Chief Justice, Punjab and Haryana High Court, Chandigarh; Hon'ble the Chief Justice, Hon'ble Supreme Court of India, New Delhi by Registered post. Copy of one representation is attached as Ann.P-47.

17. That the National Press also noticed the woes and suffering of 205 residents of village Fatehpur (Jharsa). The news item alongwith photograph of demolished houses appeared in 'The Hindu' English Daily dated 13.4.2015. Copy of the News Item appearing in 'The Hindu' on 13.4.2015 is attached as Ann.P-48.

18. That the petitioners also sent a representation to the President, National Human Right Commission, Human Right Bhawan, Block-C, New Delhi by Registered Post detailing out their woes, suffering and as to how the Police in connivance with HUDA and big builders like Unitech (P) Ltd. and Uniworld Garden-II had played with

their lives, property and demolished the entire village. It is indeed very sad treatment meted out to the permanent residents of village Fatehpur (Jharsa). Copy of the representation sent to National Human Right Commission dated 15.4.2015 is attached as Ann.P-49.

19. That HUDA has taken the villagers to be the encroachers and not entitled to stay in their houses where their fore-fathers and thereafter the petitioners have been staying in the village for nearly 100 years.

In LAC case no.359 of 2006 decided on 25.5.2011 titled as Laxman Singh son of Chuni Lal Vs. Land Acquisition Collector, the plea of the Gram Panchayat/Municipal Corporation, Gurgaon was negated and like of the petitioners who have been the residents of the village alongwith petitioners etc. have not been held to be encroachers and the Gram Panchayat to be the owner, rather the petitioners have been held to be the Dholdars of the village. LAC has granted the compensation and so has the Court of Addl. Distt.Judge, in LAC case no.359 of 2006 enhanced the compensation. Part of the compensation has been paid to Laxman Singh etc. There has not been any apportionment of compensation between the Gram Panchayat, Jharsa and Laxman Singh etc. thereby meaning that the entire compensation has been paid to Laxman Singh etc. It is respectfully submitted that they have not been held by any court of law to be the encroachers on the land.

20. That HUDA has considered the petitioners to be the encroachers on the land. There is no evidence on the record which has

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21A. That it has come to the knowledge of the petitioners that the Administrator, HUDA, Gurgaon vide memo No.STP(H)2011/2536 dated 21.2.2012 addressed a letter to the Chief Administrator, HUDA (Town Planning Wing) Panchkula wherein he has stated that the land under Khasra No.6//3/2, 4 have been planned for 2 GH site but it is still lying unacquired as per LAO record, Gurgaon. It is also mentioned that the details of construction presently existing at site are shown in the copy of site sketch plan. By this letter it is clear Khasra No.6//3/2, 4 has not been acquired and construction of houses is there existing on the site as per the site sketch plan.

It is submitted that houses of Bheem s/o Moji, Sant Ram s/o Soji, Satbeer S/o Soji, Mahender s/o Soji, houses of 4 sons of Giani, houses of 4 sons of Amar Singh and two daughters of Amar Singh, houses of 2 sons of Mange Ram and also 2 daughters of Mange Ram and houses of 3 sons of Chander were existing in Khasra No.6//3/2 and 4 measuring 3 kanals 15 marlas. Even though the land has not been acquired vide notification Ann.P-2 and P-3 and no Award has been given, houses of 21 persons existing on the unacquired land were also demolished on 12.4.2015 alongwith other houses in the village Fatehpur (Jharsa) and debri of these 21 houses have been removed unauthorized leaving the residents under the open sky on the land without any authority of law on 12.4.2015 and 15.5.2015. There is no justification for the draconian act depriving the owners of the houses and leaving them homeless under the open sky. 21 persons whose houses have been demolished and razed to the ground on 12.4.2015 and malba removed on 15.5.2015 leaving them homeless under the open sky are also the petitioners in this petition before this Hon'ble Court. The hue and cry raised by the 21 residents occupying those 21 houses over land comprised in Khasra no.6//3/2, 4 went unheard and of no avail.

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been accepted by the petitioners and their fellow villagers that they are encroachers on the land. Their pucca houses have been existing for over 60 years and for very long time much much before the date of Section 4 Notification. In order to give benefit the builders like Unitech (P) Ltd. and Uniworld Garden-II completely in connivance with SHO, employees of HUDA, bouncers employed by the builders have razed the houses of the petitioners to the ground. A CBI inquiry is requested to be ordered to exactly find out as to what was the status of the land said to be acquired by HUDA and the high handedness in violation of basic human rights or a Judicial Enquiry is requested by some sitting Senior Judicial Officer.

21. That notice was given at 6.00 PM on 11.4.2015 and 6 JCBs, 4 tractor trolleys and 2 Fire Brigades vehicles, hundreds of Policemen, employees of HUDA and large number of bouncers were employed/sent by builders pounced upon the village at 8 AM on 12.4.2015. Not even 24 hours as stated in the notice was given. The villagers were detained, taken away, live-stock was driven out. Petitioners were threatened, women folk, children and old people were beaten, maltreated and the live-stock was driven out of the village. This all requires a CBI inquiry because this has been done by the Police and HUDA in connivance with the builders.

It appears that the land has been given/would be given to the builders for raising their big buildings to earn big profits being prime land in Sector 47, Gurgaon.

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22. That the National Human Rights Commission (Law Division) vide letter dated 12.5.2015 asked the Chief Secretary, Govt. of Haryana, Chandigarh for Action Taken Report, copy of the letter dated 12.5.2015 which has been received by 14.5.2015 is attached as Annexure P-50. The National Human Right Commission also asked Director General of Police, Haryana, Police Headquarter, Sector 6, Panchkula about the Action Taken Report on the complaint filed by Pardeep Kashyap and others, which has been received by 14<sup>th</sup> May, 2015 is attached as Annexure P-51.

23. That without caring that the matter is pending before National Human Right Commission, respondents proceeded to commit atrocities, harassment and violated all basic human rights on 15<sup>th</sup> of May, 2015. There were about 750-800 persons living on the debri of houses in the village Fatehpur (Jharsa) on 15.5.2015. There were about 60 children of the age of 11-12 years, 30-40 old people of the age of 70 years plus. There were 300 women and 350 men. There were about 6-7 pregnant ladies amongst the residents on 15.5.2015. JCBs, Trucks, Policemen in large number and gangsters employed by builders in connivance with the Police, employees of HUDA bounced upon the village Fatehpur Jharsa in the morning to remove the debri and clear all traces of human habitation. This was done in a very sinister manner. The children lost their parents and they were loitering for food. Electricity and water was snapped. There were no facilities available. Cattle were driven out. 30-35 people were taken to Police custody. Young people were beaten by the Police. The dispensary/hospital was

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encircled by the Police. People had gone to register the report about missing people. No report was registered. Rather the person who have gone to register the report about missing people etc. were arrested. No arrangement was made at all for alternative habitation. Case against 150 people was registered. Lathies, tear gas shells, firing in the air, was resorted to. One 3-wheeler and 3 shops with house attached each belonging to Sundeep s/o Raghbir, Rajender s/o Ganga Ram, Sanjay s/o Rattan Lal were torched. 300-400 trees also came for annihilation. 60 trees of 50-70 years of age were amongst 300-400 trees. There was total bedlam. One Raj Pal, musalman/bouncer of Uniworld Garden-II was in the fore-front. He called the bouncers and was the incharge and in the forefront of entire episode. Wherever there was little resistance the property was put on fire by the Police. JCBs were employed to push the household goods including the gas cylinders into the pond and also in the manhole for disposal of excreta. Raj Pal put a number of houses on fire. Some of the gas cylinder was burst and fire broke out. 9-10 women were also taken into custody and sent to Bhondsi Jail. 20-25 persons were also taken into custody and sent to Bhondsi Jail. The Police Registered FIR under Section 146, 148, 149, 114, 332, 352, 353, 307, 427 and 435 IPC and also under Section 3 of Explosive Act, 1908 against Khazan Singh, Advocate, Pardeep Jaikdar (injured condition), Nisha Singh, counsellor of M.C.,Gurgaon. Mohan Singh Pappu (Tunda), Pardeep Kashyap, Krishan Pal, Dr.Kawar Lal, Mahender Singh, Ram Kumar and 150-200 other people. The trouble started with the arrival of JCBs, trucks, Police force, employees of HUDA and

bouncers. All these equipments again were employed to remove forcibly debris and residents were bitten, thrashed, the entire blame has been put by the Police and the Administration on the poor villagers but they were on the receiving side. The photographs taken on 15.5.2015 on the spot showing the presence of Police, JCBs, destruction and fire, use of water cannon etc. are attached as Ann.P-52 to 58. Shiv Mandir, Shani Mandir and Khera with 200 years old Pipal tree are on the hit list of the respondents.

24. That the petitioners sent a representation again by way of registered post to all the 17 authorities which are mentioned in para 16 of the Writ Petition about the happening and the sequence of event that happened on 15.5.2015. There was a complete bedlam, atrocities and violation of human right have been committed by the Police, employees of HUDA and Bouncers employed by Builders etc.

25. That the following question of law arise for determination by this Hon'ble Court:-

- i) Whether in view of Section 24(2) of the 2013 Act, the acquisition shall be deemed to have lapsed and hence any action taken after 7.12.2010 shall be deemed to be illegal since the petitioners have become free from the land acquisition proceedings?
- ii) Whether the hundred years old village can be razed to the ground without providing alternative accommodation to the

residents of the village?

- iii) Whether the facts and the circumstances of the case are sufficient to call for CBI inquiry about the connivance of Police, HUDA and builders – Unitech (P) Ltd. and Uniworld Garden-II or Judicial Enquiry by some senior Hon'ble Judge?
- iv) Whether the petitioners are entitled for rehabilitation on the facts and circumstances of the case?
- v) Whether the petitioners are entitled for restoration of drinking water supply and Electricity supply further with medicines etc.
- vi) Whether the petitioners being the descendants or the occupiers of Dholdars are encroachers on the land of village Fatehpur (Jharsa)?
- vii) Whether the Abadi Deh of village Fatehpur Jharsa can be said to be Shamlat Deh as per the definition in the Village Common Land (Development and Regulation) Act?

26. That the petitioners are living on the debris of the houses razed to the ground since after 12.4.2015. The police is threatening to take them away forcibly and leaving them in jungle and also frame false cases against them pressurizing them to vacate the village debris.

27. That the petitioners have not filed any such petition in this Hon'ble Court or in the Hon'ble Supreme Court of India earlier in this matter.

28. That the petitioners have made representation to all higher Authorities but there has not been any result. There is no remedy of appeal or revision and there is no other alternative remedy except filing the petition under Article 226 of the Constitution of India. No appeal or revision is otherwise pending in this matter.

#### PRAYER

It is, therefore, respectfully prayed that –

- i) Notice of motion may kindly be issued and record may kindly be summoned;
- ii) to issue a writ of mandamus for a direction to conduct CBI inquiry as to how the 100 years old village Fateypur Jharsa consisting of 205 houses have been razed to the ground on 12.4.2015 between 8 AM to 4 PM in connivance with SHO, Sadar, Gurgaon, Estate Officer-II, HUDA, Gurgaon, Unitech (P) Ltd. and Uniworld Garden-II.
- iii) for a direction to rehabilitate 205 families whose pucca houses have been demolished ;
- iv) for payment of compensation of 205 cores to the 205 families whose houses were demolished illegally;
- v) to register cases against Estate Officer-II, HUDA, SHO Sadar, Gurgaon, Unitech Pvt.Ltd. and Uniworld Garden-II.

- vi) to hold inquiry that the record of Estate Officer-II, HUDA Gurgaon has been prepared falsely to take forcibly possession from the petitioners and other 199 families of the village Fatehpur (Jharsa) and also regarding payment of compensation on having been deposited.
- vii) a writ of prohibition may also be issued prohibiting HUDA and Police Deptt. to remove the petitioners and other 199 families from the site of debris in 100 years old village Fatehpur (Jharsa) where their houses were existing till the rehabilitation of 205 families by HUDA in their village Fatehpur Jharsa.
- viii) A writ of restoration of essential services like drinking water and electricity supply and shelter and food to the worst sufferers.
- ix) Construction of road building and house building may be ordered to be stopped on 13 acre of land owned and possessed by the petitioner.
- x) Any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case;
- xi) prior notices on the respondent be dispensed with;
- xii) exemption from filing the certified copy of Ann.P-1 to P-49 may kindly be granted
- xiii) Costs of petition may kindly be granted;

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It is further prayed that the petitioners may be granted status quo regarding their stay on the ~~land~~ <sup>at land</sup> in village Fatehpur during the

pendency of the writ petition in the interest of justice. ~~no road and building may be made on the land of village Fatehpur (theor)~~ <sup>no road and building may be made on the land of village Fatehpur (theor)</sup>

CHANDIGARH  
DATED : 18.5.2015

PETITIONERS

Settled By




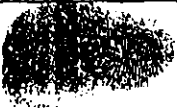
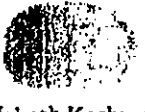

Through: *Ranjeet Singh Kang*  
(Ranjeet Singh Kang),  
Advocate/P/1231/2013

(O.P.Goyal)  
Sr. Advocate,  
*मीम।सिद्ध*

Counsel for the petitioners







1. Bheem Singh Kashyap	2. Raghbeer Kashyap	3. Ram Rati Kashyap
4. <i>बबली</i> Babli Kashyap	5. <i>सोनू</i> Sonu Kashyap	6. <i>कृष्ण कुमार</i> Krishan Kashyap
7. <i>रविश कुमार</i> Rakesh Kashyap	8. <i>[Redacted]</i> Laxmi Devi Kashyap	9. <i>बलवान</i> Balwan Kashyap
10. <i>कृष्ण कुमार</i> Krishan Kashyap	11. <i>तेजपाल</i> Tejpal Kashyap	12. <i>प्रेम चन्द</i> Prem Chandel Kashyap
13. <i>जगदीश</i> Jagdish Kashyap	14. <i>संदीप</i> Sandeep Kashyap	15. <i>[Redacted]</i> Rajendra Kashyap
16. <i>अनिल</i> Anil Kumar Kashyap	17. <i>सुनील</i> Sunil Kashyap	18. <i>[Redacted]</i> Ram Pal Kashyap
19. <i>[Redacted]</i> Ram Pal Kashyap	20. <i>प्रदीप</i> Pradeep Kashyap	21. <i>[Redacted]</i> Laxmi Devi Kashyap
22. <i>सतबीर</i> Satbeer Kashyap	23. <i>मनोज</i> Manoj Kashyap	24. <i>[Redacted]</i> Rampal Kashyap

*[Redacted Signature]*  
JAL...  
8.3.20  
5/8/15  
15/5/15

24 25	सन्तराम Sant Ram Kashyap	25 26	NARSI Narsi Kashyap	26 27	 Satbeer Kashyap
27 28	मोनु Monu Kashyap	28 29	कृष्ण Krishan Kashyap	29 30	महेंद्र Mahender Singh Kashyap
30 31	 Mahesh Kashyap	31 32	जितेंद्र Jitender Kashyap	32 33	 Sandeep Kashyap
33 34	सुरज Suraj Kashyap	34 35	 Sunder Kashyap	35 36	विरेंद्र Virender Kashyap
36 37	अमित Amit Kashyap	37 38	मोहन सिंह Mohan Singh Kashyap	38 39	राजेश Rajesh Kashyap
39 40	रतनलाल Ratan Lal Kashyap	40 41	सरजय Sarjay Kashyap	41 42	नरेंद्र Narender Kashyap
42 43	 Mahesh Kashyap	43 44	रोहतश Rohtash Kashyap	44 45	विक्रम Vikram Kashyap
45 46	नावेन Naveen Kashyap	46 47	ओमप्रकाश Om Prakash Kashyap	47 48	महेश Mahesh Kashyap
48 49	बालू Balu Kashyap	49 50	विनोद Vinod Kashyap	50 51	 Hulashan Kashyap
51 52	रतन Ratam Singh Kashyap	52 53	कृष्ण Krishan Kashyap	53 54	सोनु Sonu Kashyap
54 55	सुरेंद्र Surender Kr. Kashyap	55 56	गजेंद्र Gajender Kashyap	56 57	प्रेम Prem Kumar Kashyap
57 58	दयाराम Daya Ram Kashyap	58 59	अजय कुमार Ajay Kumar Kashyap	59 60	करमवीर Keramveer Kashyap

60 61. Manoj Kashyap	61 62. Cheenu Kashyap	62 63. Krishan Gopal Kashyap
63 64. Vikas Kashyap	64 65. Kailash Kashyap	65 66. Tika Ram Kashyap
66 67. Asha Devi Kashyap	67 68. Suresh Kashyap	68 69. Sonu Kashyap
69 70. Krishan Kumar Kashyap	70 71. Dharam Pal Kashyap	71 72. Mahaveer Kashyap
72 73. Ranbeer Singh Kashyap	73 74. Maha Singh Kashyap	74 75. Nand Kishor Kashyap
75 76. Krishan Kashyap	76 77. Jyoti/Manju Kashyap	77 78. Ashok Kumar Kashyap
78 79. Chand Kashyap	79 80. Radhey Shyam	80 81. Sonu Kashyap
81 82. Bhagwati Kashyap	82 83. Pappu Kashyap	83 84. Dilbagh Singh Kashyap
84 85. Sunny Kashyap	85 86. Dayanand Kashyap	86 87. Rakesh Kashyap
87 88. Kishan Pal Kashyap	88 89. Ashwani Kashyap	89 90. Pradeep Singh Kashyap
90 91. Dharambir Kashyap	91 92. Sonu Kashyap	92 93. Ashok Kumar Kashyap
93 94. Naveen Kashyap	94 95. Vijay Kashyap	95 96. Rajbeer Kashyap

96 Satbeer Kashyap	97 Beer Singh Kashyap	98 Balram Kashyap
99 Narender Kashyap	100 Vikram Kashyap	101 Sukhbeer Kashyap
102 Charan Singh Kashyap	103 Rajender Kashyap	104 Cuptan Singh Kashyap
105 Hawa Singh Kashyap	106 Jagbir Kashyap	107 Jai Prakash Kashyap
108 Bijender Kashyap	109 Jai Bhagwan Kashyap	110 Shymo Devi Kashyap
111 Mohan Singh Kashyap	112 Navraj Singh Kashyap	113 Anil Kashyap
114 Chand Kashyap	115 Dharmender Kashyap	116 Ram Kumar Kashyap
117 Ram Njwas Kashyap	118 Ravi Kashyap	119 Dinesh Kashyap
120 Rajesh Kashyap	121 Ramesh Kashyap	122 Satish Kashyap
123 Kamal Kashyap	124 Rajbeer Kashyap	125 Anand Kashyap
126 Rohit Rohit Kumar Kashyap	X Ranbeer Kashyap	X Narender Kashyap
X Mahender Kashyap	X Arun Kumar Kashyap	X Baljeet Kashyap

<del>128.</del> Om Prakash Kashyap	<del>128.</del> Sonu Kashyap	<del>128.</del> Sahib Singh Kashyap
<del>129.</del> Usha Devi Kashyap	<del>129.</del> Bijender Kashyap	<del>129.</del> Sandeep Kashyap
<del>130.</del> Omvati Kashyap	<del>130.</del> Daya Krishna Kashyap	<del>130.</del> Baljeet Kashyap
<del>131.</del> Dharam Pal Kashyap	<del>131.</del> Yogesh Kashyap	<del>131.</del> Jatin Kashyap
<del>132.</del> Vinay Kashyap	<del>132.</del> Jagdish Kashyap	<del>132.</del> Dinesh Kashyap
<del>133.</del> Samay Singh Kashyap	<del>133.</del> Vijay Kumar Kashyap	<del>133.</del> Jagbir Kashyap
127. 	128. <i>Sukhbeer</i>	129. <i>Attar Singh</i>
<del>134.</del> Ramvati Kashyap	<del>134.</del> Sukhbeer S. Kashyap	<del>134.</del> Attar Singh Kashyap
<del>135.</del> 	<del>135.</del> Satish Kumar Kashyap	<del>135.</del> Rahul Kashyap
<del>136.</del> 	130. <i>Monu</i>	<del>136.</del> Pataso Devi Kashyap
137. Phool Singh Kashyap	158. Monu Kashyap	
131. <i>Suraj</i>	132. <i>बलदेव</i>	
<del>138.</del> Suraj Kashyap	<del>138.</del> Babu Lal Kashyap	<del>138.</del> Marjeet Kashyap
<del>139.</del> 	133. <i>गुरदाम</i>	134. <i>देवेंद्र कश्यप</i>
<del>140.</del> Geeta Devi Kashyap	<del>140.</del> Budhram Kashyap	<del>140.</del> Devinder Kashyap
<del>141.</del> 	135. 	136. <i>सुरेंद्र कश्यप</i>
<del>142.</del> Ramesh Kr. Kashyap	<del>142.</del> Ranbeer Kashyap	<del>142.</del> Surender Kashyap

137				137	
139	Kuldeep Kashyap	140	Sonu Kashyap	141	Phoolvati Kashyap
142		143			
143	Parveen Kashyap	144	Suraj Bhan Kashyap	144	Raju Kashyap
145		145			
146	139 पुनमल Puran Mal Kashyap	146	140 गोपाल Brij Gopal Kashyap	147	141 Ramesh Ramesh Kashyap
148		148		148	
149	178 Mahaveer S. Kashyap	149	179 Mahipal Kashyap	149	180 Munshi Ram Kashyap
151		152		153	
152	181 Satbeer Kashyap	153	182 Vinod Kumar Kashyap	154	183 Sushil Kumar Kashyap
154		154		155	
155	145 वक्केल Vakcel Kr. Kashyap	155	146 केला देवी Kela Devi Kashyap	156	147 गीता देवी Geeta Devi Kashyap
157		157		157	
158	148 Beero Kashyap	158	149 Bita	158	150 Rani Kashyap
159		159	150 Bittu Kashyap	159	
160	151 Jagga Kashyap	160	152 Sunil	160	153 Dharmendra Kashyap
161	160 Vicky Kashyap	161	154 Dilip	161	155 Rajender Kashyap
162	154 Karan Singh Kashyap	162	155 Dharumbeer Kashyap	162	156 Monu Kashyap
163		163		163	
164	160 Anand Pal Kashyap	164	161 Jitender Singh Kashyap	164	162 Lokesh Kashyap
165	163 Shiv Charan Kashyap	165	164 Ashok Kashyap	165	165 Kailu Kashyap
166	166 Subhash Kashyap	166	167 Ravi Kashyap	166	166 Anil Kashyap

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168. *Khazan Singh* 169. Signedat 170. Signedat  
 ADV SNO-74 SNO-89  
 (KHAZAN SINGH) ०९/०५/२०१२  
 NANO KISHORE KASHYAP PARDEEP SINGH KAS

**VERIFICATION:-**



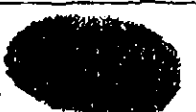



Verified that the contents of para No. 1 to are true and correct to our knowledge. The legal submissions are correct as per the advice received from the counsel. No part of it is false and nothing material has been hidden therefrom.

Verified at Chandigarh on <sup>th</sup> day of May, 2015.

**PETITIONERS**



1. <i>बीम सिंह</i> Bheem Singh Kashyap	2. <i>रघुबीर</i> Raghbeer Kashyap	3.
4. <i>बबली</i> Babli Kashyap	5. <i>सोन</i> Sonu Kashyap	6. <i>कृष्ण कुमार</i> Krishan Kashyap
7. <i>राकेश कुमार</i> Rakesh Kashyap	8.	9. <i>बाह्वान</i> Bahwan Kashyap
10. <i>कृष्ण कुमार</i> Krishan Kashyap	11. <i>तेजपाल</i> Tejpal Kashyap	12. <i>प्रेमचन्द</i> Prem Chand Kashyap
13. <i>जगदीश</i> Jagdish Kashyap	14. <i>सandeep</i> Sandeep Kashyap	15.
16. <i>अनिल कुमार</i> Anil Kumar Kashyap	17. <i>सुनील</i> Sunil Kashyap	18.
19.	20. <i>प्रदीप</i> Pradeep Kashyap	21.
22. <i>सतबीर</i> Satbeer Kashyap	23. <i>मनोज</i> Manoj Kashyap	24.

*SARAN KASHYAP*

24 25.	सन्तराम Sant Ram Kashyap	25 26.	NARSI Narsi Kashyap	26 27.	 Satbeer Kashyap
27 28.	मौजू Monu Kashyap	28 29.	कृष्ण Krishan Kashyap	29 30.	महेन्द्र Mahender Singh Kashyap
30 31.	 Ramesh Kashyap	31 32.	जितेंद्र Jitender Kashyap	32 33.	 Sandeep Kashyap
33 34.	सुरज Suraj Kashyap	34 35.	 Sunder Kashyap	35 36.	विरेंद्र Virender Kashyap
36 37.	अमित Amit Kashyap	37 38.	मोहन सिंह Mohan Singh Kashyap	38 39.	राजेश Rajesh Kashyap
39 40.	रतन लाल Ratan Lal Kashyap	40 41.	संजय Sanjay Kashyap	41 42.	नरेंद्र Narender Kashyap
42 43.	 Mahesh Kashyap	43 44.	रोहताश Rohtash Kashyap	44 45.	विक्रम Vikram Kashyap
45 46.	नावेन Naveen Kashyap	46 47.	ओमप्रकाश Om Prakash Kashyap	47 48.	महेश Mahesh Kashyap
48 49.	बल्लू Ballu Kashyap	49 50.	विनोद कुमार Vinod Kashyap	50 51.	 Singh Kashyap
51 52.	रतन Ratam Singh Kashyap	52 53.	कृष्ण Krishan Kashyap	53 54.	सोनु Sonu Kashyap
54 55.	सुरेंद्र Surender Kr. Kashyap	55 56.	गजेंद्र Gajender Kashyap	56 57.	प्रेम Prem Kumar Kashyap
57 58.	दया राम Daya Ram Kashyap	58 59.	अजय कुमार Ajay Kumar Kashyap	59 60.	कर्मवीर Karamveer Kashyap

60 61. Manoj Kashyap	61 62. Cheenu Kashyap	62 63. Krishan Gopal Kashyap
63 64. Vikas Kashyap	64 65. Kailash Kashyap	65 66. Tika Ram Kashyap
66 67. Asha Devi Kashyap	67 68. Suresh Kashyap	68 69. Sonu Kashyap
69 70. Krishan Kumar Kashyap	70 71. Dharam Pal Kashyap	71 72. Mahaveer Kashyap
72 73. Ranbeer Singh Kashyap	73 74. Maha Singh Kashyap	74 75. Nand Kishor Kashyap
75 76. Krishan Kashyap	76 77. Jyoti/Manju Kashyap	77 78. Ashok Kumar Kashyap
78 79. Chand Kashyap	79 80. Radhey Shyam	80 81. Sonu Kashyap
81 82. Bhagwati Kashyap	82 83. Pappu Kashyap	83 84. Dilbagh Singh Kashyap
84 85. Sunny Kashyap	85 86. Dayanand Kashyap	86 87. Rakesh Kashyap
87 88. Kishan Pal Kashyap	88 89. Ashwani Kashyap	89 90. Pradeep Singh Kashyap
90 91. Dharam Singh Kashyap	91 92. Sonu Kashyap	92 93. Ashok Kumar Kashyap
93 94. Naveen Kashyap	94 95. Vijay Kashyap	95 96. Rajbeer Kashyap

96	साबेर काश्यप	97	बीर सिंह काश्यप	98	बलराम काश्यप
99	Narender Kashyap	100	Vikram Kashyap	101	Sukhbeer Kashyap
102	Charan Singh Kashyap	103	Rajender Kashyap	104	Cuptan Singh Kashyap
105	Hawa Singh Kashyap	106	Jagbir Kashyap	107	Jai Prakash Kashyap
108	Bijender Kashyap	109	Jai Bhagwan Kashyap	110	Shymo Devi Kashyap
111	Mohan Singh Kashyap	112	Navraj Singh Kashyap	113	Anil Kashyap
114	Chand Kashyap	115	Dharmender Kashyap	116	Ram Kumar Kashyap
117	Ram Niwas Kashyap	118	Ravi Kashyap	119	Dinesh Kashyap
120	Rajesh Kashyap	121	Ramesh Kashyap	122	Satish Kashyap
123	Kamal Kashyap	124	Rajbeer Kashyap	125	Anand Kashyap
126	Rohit Ravi Kumar Kashyap	128	Rambeer Kashyap	129	Narender Kashyap
130	Mahender Kashyap	131	Arun Kumar Kashyap	132	Baljeet Kashyap

133.	Om Prakash Kashyap	134.	Sonu Kashyap	135.	Sahib Singh Kashyap
136.	Usha Devi Kashyap	137.	Bijender Kashyap	138.	Sandeep Kashyap
139.	Omvati Kashyap	140.	Daya Krishan Kashyap	141.	Baljeet Kashyap
142.	Dharam Pal Kashyap	143.	Yogesh Kashyap	144.	Jatin Kashyap
145.	Vinay Kashyap	146.	Jagdish Kashyap	147.	Dinesh Kashyap
148.	Samay Singh Kashyap	149.	Vijay Kumar Kashyap	150.	Jagbir Kashyap
127		128	<i>Siddharth</i>	129	<i>Attar Singh</i>
151.	Ramvati Kashyap	152.	Sukhbeer S. Kashyap	153.	Attar Singh Kashyap
154.	<i>X</i> Bittu Kashyap	155.	<i>X</i> Satish Kumar Kashyap	156.	<i>X</i> Rahul Kashyap
157.	<i>X</i> Phool Singh Kashyap	120	<i>Manu</i> Monu Kashyap	159.	<i>X</i> Pataso Devi Kashyap
131	<i>सुरज</i>	132	<i>बबु लाल</i>		<i>X</i>
160.	Suraj Kashyap	161.	Babu Lal Kashyap	162.	Manjeet Kashyap
163.	<i>X</i> Geeta Devi Kashyap	133	<i>बुधराम</i>	134	<i>देवी कश्यप</i>
		164.	Budhram Kashyap	165.	Devinder Kashyap
166.	<i>X</i> Ramesh Kr. Kashyap	135		136	<i>सुरेंद्र कश्यप</i>
		167.	Ranbeer Kashyap	168.	Surender Kashyap

	X		X	137	
169.	Kuldeep Kashyap	170.	Sonu Kashyap	141.	Phoolvati Kashyap
	X	138			X
172.	Parveen Kashyap	143.	Suraj Bhan Kashyap	174.	Raju Kashyap
139		140		141	
173.	Puran Mal Kashyap	142.	Brij Gopal Kashyap	144.	Ramesh Kashyap
	X		X		X
178.	Mahaveer S. Kashyap	179.	Mahipal Kashyap	180.	Munshi Ram Kashyap
142		143		144	
181.	Satbeer Kashyap	142.	Vinod Kumar Kashyap	145.	Sushil Kumar Kashyap
145		146		147	
184.	Vakeel Kr. Kashyap	145.	Kela Devi Kashyap	148.	Geeta Devi Kashyap
148		149		150	
149.	Bhuro Kashyap	148.	Bittu Kashyap	149.	Rani Kashyap
151		152		153	
150.	Jagga Kashyap	151.	Sunil Kashyap	152.	Dharmendra Kashyap
154		155		156	
153.	Vicky Kashyap	154.	Dilip Kashyap	155.	Rajender Kashyap
157		158		159	
156.	Karan Singh Kashyap	157.	Dharambeer Kashyap	158.	Monu Kashyap
160		161		162	
159.	Anand Pal Kashyap	160.	Jitender Singh Kashyap	161.	Lata Ram Kashyap
163		164		165	
162.	Shiv Charan Kashyap	163.	Ashok Kashyap	164.	Kalju Kashyap
166		167		168	
165.	Subhash Kashyap	166.	RAVI KASHYAP	167.	

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168	Khayon In Adv	169	ଅନୁମତି	170	<del>ଅନୁମତି</del>

Dated 18.0.15

R. S. Kang Adv

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

CIVIL WRIT PETITION NO. \_\_\_\_\_ OF 2015

Bheem Singh Kashyap and others .....Petitioners

Versus

State of Haryana and others. ....Respondents.

**Affidavit of Shri Pardeep Singh Kashyap son of  
Sh.Ram Chander Singh, resident of Village  
Fatehpur (Jharsa), Sector 47, Gurgaon .**

I the above named deponent do hereby solemnly affirm and  
state as under:-

1. That the above noted writ petition has been drafted and filed on behalf and at the instances of petitioners.
2. That the contents of writ petition are true and correct to the knowledge of petitioners/deponent. He was present on the spot.
3. That the certified copies of Ann.P-1 to P-58, which includes the photograph also are not readily available, hence true and correct copies have been annexed. Exemption from filing certified copies may kindly be granted. There is complete break down of Article 21 of the

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Constitution of India. The Welfare State has failed to keep the welfare of people of village Jharsa under consideration.

4. That there is connivance between HUDA, Police and two builders. Inquiry is therefore very essential by CBI or a senior Judicial Officer of the State to know the truth.

Place: Chandigarh

Deponent

Dt. 18.05.2015

**VERIFICATION:-**

Verified that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Verified at Chandigarh on 18th day of May, 2015.

Deponent

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## ANNEXURE P-I

**LIST OF RESIDENTS OF VILLAGE FATEHPUR (JHARSA) sector 47,  
GURGAON (HR) AS PER SURVEY CONDUCTED ON 04.03.2015 TO 05.03.2015  
BY SDE-II (SURVEY) HUDA, GURGAON.**

Sr. No.	Name	Father's/Husband's Name	Total Family member
1.	Bheem Singh Kashyap	s/o Moji Ram Kashyap	4
2.	Raghbeer Kashyap	S/o Chandra Prakash Kashyap.	4
3.	Ram Rati Kashyap	W/o Sultan Kashyap.	2
4.	Babli Kashyap	W/o Ashok Kashyap.	4
5.	Sonu Kashyap.	s/o Sultan Kashyap	3
6.	Krishan Kashyap	s/o Mange Ram Kashyap.	5
7.	Rakesh Kashyap.	s/o Mange Ram Kashyap.	5
8.	Laxmi Devi Kashyap.	D/o Mange Ram Kashyap.	2
9.	Balwan Kashyap.	s/o Raghbir Kashyap.	4
10.	Krishan Kashyap.	s/o Balwan Kashyap.	5
11.	Tejpal Kashyap.	s/o Ganga Ram Kashyap.	5
12.	Prem Chand Kashyap.	s/o Ganga Ram Kashyap.	4
13.	Jagdish Kashyap.	s/o Raghbee Kashyap.	5
14.	Sandeep Kashyap.	s/o Rajendra Kashyap.	4
15.	Rajendra Kashyap.	s/o Ganga Ram Kashyap.	3
16.	Anil Kumar Kashyap.	s/o Sh. Ram Pal Kashyap.	3
17.	Sunil Kashyap.	s/o Sh. Ram Pal Kashyap.	2
18.	Ram Pat Kashyap.	s/o Gyani Ram Kashyap.	2
19.	Ram Pal Kashyap.	s/o Gyani Ram Kashyap.	4
20.	Pradeep Kashyap.	s/o Ram Pal Kashyap.	3
21.	Laxmi Devi Kashyap.	W/o Bal Kishan Kashyap.	3
22.	Satbeer Kashyap.	S/o Chandra Prakash Kashyap.	3
23.	Manoj Kashyap.	s/o Satbeer Kashyap.	4
24.	Rampal Kashyap.	S/o Gyani Ram Kashyap.	4

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25.	Sant Ram Kashyap.	S/o Soji Ram Kashyap.	4
26.	Narsi Kashyap.	S/o Sant Ram Kashyap.	4
27.	Satbeer Kashyap.	S/o Soni Ram Kashyap.	6
28.	Devi Temple 1967	Panchayat 1967 Kashyap	
29.	Krishan Kashyap.	S/o Chandra Kashyap.	5
30.	Mahender Singh Kashyap.	S/o Soji Ram Kashyap.	6
31.	Ramesh Kashyap.	S/o Amar Singh Kashyap.	4
32.	Jitender Kashyap.	S/o Ramesh Kashyap.	3
33.	Sandeep Kashyap.	S/o Raghbeer Kashyap.	3
34.	Suraj Kashyap.	s/o Amar Singh Kashyap.	6
35.	Sunder Kashyap.	S/o Gyani Ram Kashyap.	3
36.	Virender Kashyap.	S/o Sunder Kashyap	2
37.	Amit Kashyap.	S/o Sunder Kashyap.	3
38.	Mohan Singh Kashyap.	S/o Amar Singh Kashyap.	3
39.	Rajesh Kashyap.	S/o Amar Singh Kashyap.	5
40.	Raian Lal Kashyap.	s/o Ram Swroop Kashyap.	2
41.	Sanjay Kashyap.	S/o Ratan Lal Kashyap.	5
42.	Narender Kashyap.	S/o Chotu Ram Kashyap.	5
43.	Mahesh Kashyap.	s/o Hari Prasad Kashyap.	4
44.	Rohitash Kashyap.	S/o Mahesn Kashyap.	4
45.	Vikram Kashyap.	S/o Mahesh Kashyap.	2
46.	Naveen Kashyap.	S/o Santram Kashyap.	2
47.	Om Prakash Kashyap.	S/o Mahender Kashyap Singh	2
48.	Mahesh Kashyap	S/o Udey Chand Kashyap.	6
49.	Ballu Kashyap.	Udey Chand Kashyap.	4
50.	Vinod Kashyap.	S/o Inder Singh Kashyap.	4
51.	Hukam Singh Kashyap.	S/o Thakeria Kashyap.	2
52.	Ratam Singh Kashyap.	S/o Thakeria Kashyap	2
53.	Krishan Kashyap	s/o Ratan Singh Kashyap.	5

54.	Sonu Kashyap.	S/o Ratan Singh Kashyap.	5
55.	Surender Kumar Kashyap.	S/o Ratan Singh Kashyap	4
56.	Gajender Kashyap.	S/o Ratan Singh Kashyap.	3
57.	Prem Kumar Kashyap.	S/o Ratan Singh Kashyap.	3
58.	Daya Ram Kashyap.	S/o Hukam Kashyap Singh	4
59.	Ajay Kumar Kashyap.	S/o Daya Ram Kashyap.	4
60.	Karamveer Kashyap.	S/o Hukam Singh Kashyap.	5
61.	Manoj Kashyap.	S/o Karamveer Kashyap	2
62.	Cheenu Kashyap.	S/o Daya Ram Kashyap.	2
63.	Krishan Gopal Kashyap.	S/o Ram Kishan Kashyap	3
64.	Vikas Kashyap	S/o Krishan Kashyap Gopal	3
65.	Kailash Kashyap.	S/o Krishan Gopal	2
66.	Tika Ram Kashyap.	S/o Ganga Ram	3
67.	Asha Devi Kashyap.	D/o Krishan Gopal	2
68.	Suresh Kashyap.	S/o Ram Kishan	4
69.	Sonu Kashyap.	S/o Suresh	5
70.	Krishan Kumar Kashyap.	s/o Suresh	4
71.	Dharam Pal Kashyap.	S/o Baljeet	5
72.	Mahavee Kashyap	S/o Khajan Singh	2
73.	Rambeer Singh Kashyap.	S/o Ram Kshian	3
74.	Maha Singh Kashyap.	S/o Amar Singh	3
75.	Nand Kishor Kashyap	S/o Balbeer Singh	4
76.	Krishan Kashyap	S/o Balbeer Singh	5
77.	Jyoti/Manju Kashyap.	d/o Ram Pal	4
78.	Ashok Kumar Kashyap.	S/o Narayan Singh	5
79.	Chand Kashyap	S/o Narayan Singh	4
80.	Radhey Shyam	s/o Narayan Singh	3
81.	Sonu Kashyap	S/o Narayan Singh	2
82.	Bhagwati Kashyap.	W/o Banti	6

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83.	Pappu Kashyap.	S/o Tare	5
84.	Dilbagh Singh Kashyap.	S/o Tare	5
85.	Sunny Kashyap.	S/o Dilbagh Singh	3
86.	Dayanand Kashyap	S/o Udey Chand	3
87.	Rakesh Kashyap	S/o Dayanand	3
88.	Kishan Pal Kashyap.	S/o Bhagwan Sahib	4
89.	Ashwani V	s/o Dr.Kanwar Pal	4
90.	Pradcep Kashyap.	S/o Ram Chander Singh	5
91.	Dharambeer Kashyap.	S/o Mamchand	2
92.	Sonu Kashyap	S/o Dharambeer	4
93.	Ashok Kumar Kashyap.	S/o Dharambeer	2
94.	Naveen Kashyap.	S/o Dharambeer	2
95.	Vijay Kashyap.	S/o Mamchand	6
96.	Rajbeer Kashyap	S/o mamchand	5
97.	Satbeer Kashyap	S/o Tek Chand	2
98.	Beer Singh Kashyap.	S/o Satbeer	6
99.	Balram Kashyap.	S/o Satbeer	4
100.	Narender Kashyap.	s/o Satbeer	5
101	Vikaram Kashyap.	S/o Satbeer	4
102.	Sukhbeer Kashyap.	s/o Tek chand	5
103.	Charan Singh Kashyap.	S/o Tek Chand	4
104.	Rajender Rajender	S/o Tek Chand	5
105.	Cuptan Singh Kashyap.	S/o Tekchand	8
106.	Hawa Singh Kashyap	S/o Tekchand	7
107.	Jagbir Kashyap	s/o Dulichand	6
108	Jai Prakash Kashyap	s/o Ram pat	5
109.	Bijender Kashyap	S/o Ram Pat	4
110.	Jai Bhagwan Kashyap	S/o Ram Pat	4
111.	Shyamo Devi Kashyap	w/o Ram Pal	4

112.	Mohan Singh Kashyap	S/o Ram Pal	6
113.	Navraj Singh Kashyap	s/o Ram Pal	3
114.	Anil Kashyap	s/o Bagru	4
115.	Chand Kashyap	s/o Bagru	4
116.	Dhannender Kashyap	s/o Bagru	4
117.	Ram Kumar Kashyap	s/o Teja	2
118.	Ram Niwas Kashyap	S/o Ram Kumar	5
119.	Ravi Kashyap	s/o Ram Niwas	2
120.	Dinesh Kashyap	S/o Ram Kumar	3
121.	Rajesh Kashyap	s/o Ram Kumar	4
122.	Ramesh Kashyap	S/o Teja	3
123.	Satish Kashyap	S/o Ramesh	4
124.	Kamal Kashyap	s/o Ramesh	2
125.	Rajbeer Kashyap	s/o Chander Prakash	4
126.	Anand Kashyap	S/o Rajbeer	2
127.	Ravi Kumar Kashyap	S/o Rajbeer	2
128.	Rambeer	S/o Om Parkash	4
129.	Narender Kashyap	S/o Lacha Ram	3
130.	Mahender Kashyap	s/o Lachi ram	3
131.	Arun Kumar Kashyap	s/o Mahender	2
132.	Baljeet Kashyap	S/o Sadhu Ram	3
133.	Om Prakash Kashyap	S/o Lachi Ram	2
134.	Sonu Kashyap	s/o Om Praksh	2
135.	Sahib Singh Kashyap	s/o Magat Ram	2
136.	Usha Devi Kashyap	W/o Hawa Singh	6
137.	Bijender Kashyap	S/o Sahib Singh	4
138.	Sandeep Kashyap	S/o Sher Singh	4
139.	Omvati	W/o Azad Singh	2
140.	Daya Krishan Kashyap	S/o Azad Singh	5

141.	Baljeet Kashyap	s/o Azad Singh	3
142.	Dharam Pal Kashyap	S/o Ram Singh	3
143.	Yogesh Kashyap	s/o Dharam Pal	3
144.	Jatin Kashyap	S/o Dharam Pal	3
145.	Vijay Kashyap	s/o Phool Singh	4
146.	Jagdish Kashyap	S/o Sheesh Ram	3
147.	Dinesh Kashyap	s/o Daya Ram	5
148.	Samay Singh	s/o Munshi Ram	5
149.	Vijay Kumar S/o	s/o Munshi Ram	5
150.	Jagbir Kashyap	s/o Munshi Ram	4
151.	Ramvati Kashyap	W/o Bagru	2
152.	Sukhbeer Singh Kashyap	s/o Attar Singh	3
153.	Attar Singh Kashyap	s/o Lachi Ram	3
154.	Bittu Kashyap	s/o Phool Singh	5
155.	Satish Kumar Kashyap	S/o Lachi Ram	6
156.	Rahul Kashyap	s/o Narender Kumar	2
157.	Phool Singh Kashyap	s/o Lachi Ram	2
158.	Monu Kashyap	S/o Attar Singh	2
159.	Pataso Devi Kashyap	W/o Lachi Ram	2
160.	Suraj Kashyap	S/o Bharat Singh	4
161.	Babu Lal Kashyap	S/o Ram Kala.	6
162.	Manjeet Kashyap	S/o Azad Singh	3
163.	Geeta Devi.	S/o Ramphal	4
164.	Budhram Kashyap	S/o Leelu Ram	4
165.	Devinder Kashyap	S/o Laxman Singh	6
166.	Ramesh Kumar Kashyap	s/o Laxman Singh	4
167.	Ranbeer Kashyap	S/o Balbeer Singh	4
168.	Surender Kashyap	S/o Laxman	5
169.	Kuldeep Kashyap	S/o bal Kishan	4

170.	Sonu Kश्यap	S/o Raju	4
171.	Phoolvati	w/o Laxman Singh	3
172.	Parveen Kश्यap	S/o Raju	3
173.	Suraj Bhan Kश्यap	s/o Laxman	3
174.	Raju Kश्यap	S/o Tale Ram	2
175.	Puran Mal Kश्यap	S/o Madan Lal	4
176.	Brij Gopal Kश्यap	S/o Madan Lal	6
177.	Ramesh Kश्यap	s/o Moti Ram	4
178.	Mahaveer Singh Kश्यap	S/o Munshi Ram	5.
179.	Mahipal Kश्यap	s/o Munshi Ram	5
180.	Munshi Ram Kश्यap	S/o Chandgi Ram	3
181.	Satbeer Kश्यap	S/o Deepchand	6
182.	Vinod Kumar Kश्यap	S/o Suraj Bhan	3
183.	Sushil Kumar Kश्यap	S/o Suraj Bhan	2
184.	Vakeel Kumar Kश्यap	S/o Suraj Bhan	2
185.	Kela Devi Kश्यap	W/o Puppon	4
186.	Geeia Devi Kश्यap	d/o Shree Chand	3
187.	Beero Kश्यap	D/o Modi Ram	4
188.	Bittu Kश्यap	S/o Kishan Lal	3
189.	Rani Kश्यap	W/o Bhola	5
190.	Jagga Kश्यap	S/o Chattar Singh	2
191.	Sunil Kश्यap	S/o Dilbagh Singh	2
192.	Dharmnder Kश्यap	S/o Dhanesh Chand	5
193.	Vicky Kश्यap	S/o Kishan Lal	3
194.	Dilip Kश्यap	S/o Mangal Ram	5
195.	Rajender Kश्यap	Jagge Ram Kश्यap	7
196.	Karan Singh Kश्यap	s/o Madu	5
197.	Dharambeer Kश्यap	S/o Raje Kश्यap	4
198.	Monu Kश्यap	Raje Kश्यap	4

199.	Anand Pal Kashyap	s/o Kishan Pal Kashyap	4
200.	Jitender Singh Kashyap	S/o Ramchander Singh Kashyap	3
201.	Lok Ram Kashyap	S/o Jaganath.	3
202.	Shiv Charan Kashyap	s/o Ram Kala.	
203.	Ashok Kashyap	s/o Karan Singh	4
204.	Kallu	s/o Ram Kala	
205.	Subhash Kashyap	s/o Ghunnay	

True copy

Advocate.

Seal

HARYANA GOVERNMENT GAZETTE

EXTRA ORDINARY

Published by Authority

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CHANDIGARH, AUGUST 12, 2003 (SRVNA 21, 1925 SAKA)

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HARYANA GOVERNMENT

URBAN ESTATES DEPARTMENT

Notification

12<sup>TH</sup> August, 2003.

No. LAC(G)-NTLA/2003/921.- Whereas, it appears to the Governor of Haryana that the land described in the specification below is required for the public purpose, namely for development and utilization of land for Residential and Commercial, Sector 47, Gurgaon as shown in the development plan under the Haryana Urban Development Authority Act, 1977 by the Haryana Urban Development Authority in the area of village Jharsa, Hadbast No.94, village Tikri, H.B.No.98, village Islampur, H.B.No.97, village Fatehpur, H.B.No.89, Tehsil and District, Gurgaon.

And, whereas, in pursuance of the provisions of Section 14 of the said Act, the Governor of Haryana is satisfied that the said land is required for the aforesaid purpose, it is hereby notified that the land described in the specification below is likely to be required for the aforesaid purpose and the Land Acquisition Collector, Urban Estates, Haryana, Sector 14, Gurgaon shall cause public notice of the substance of the notification to be given at convenient places in the locality.

This notification is made under the provisions of section 4 of the Land acquisition Act, 1894 for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorizes the officers with their servants and workmen, for the time being engaged in the undertaking, to enter upon and survey the land in the locality and to do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of land in the locality, may, within a period of thirty days of the publication of this notification in the Official Gazette file an objection, if any, in writing before the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon.

The plans of the land may be inspected in the office of the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon

District	Tahsil	Village/ Locality and H.B.No.	Area in acres	Rectangle/Killa Nos./Khasra No.	
1	2	3	4	5	
Gurgaon	Gurgaon	Jharsa H.B.No.94	17.10 acres.	121	7/1, 7/2, 14, 16/1, 16/2, 16/3, 17, 24, 25, 25/1, 25/2.
				124	6
				125	7, 8/1/1, 8/1/2, 8/1/2, 8/2/2, 9, 10, 12, 13, 14.
				126	4,5,6, 7/1, 7/2, 8/1, 8/1 min and Khasra No. 165 min, 198.
Gurgaon	Gurgaon	Tikri H.B.No.98	22,23 acres	11	4, 5, 6
				12	24, 25/1, 25/2
				13	10, 11/1, 11/2, 12, 18/2, 19/2, 23, 24, 25/1, 25/2.
				18,	13, 21 and Khasra no.19 min, 20 min, 22.
Gurgaon	Gurgaon	Islampur H.B.No.97	5.09 acres		380, 618, 619, 620, 621, 622, 626, 627, 629.

Gurgaon	Gurgaon	Fatehpur H.B.No.89	75, 39 acres.		
				1	15, 16, 25.
				2	11, 16, 17, 18/1, 18/2, 19, 20, 21, 22/1/1, 22/1/2, 22/2, 23, 24, 25.
				3	1, 4/2, 7, 10/2, 11, 12, 14/1, 14/2, 14/3, 17/1, 17/2, 18min, 19min, 20mm, 24/1, 24/2, 24/3, 26, 27.
				4	5, 6, 15, 21
				5	16, 17/1, 20/1, 23, 24, 25/1, 25/2.
				6	6,7,8,14, 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20, 21, 22/1, 22/2, 23/1, 23/2, 24, 25, 26.
				7	5, 6.
				8	1/1, 1/2, 2, 3, 4, 5/1, 6, 8/1, 9/1, 10/1, 10/2, 15/1.
				9.	4/2, 5, 6, 7/1, 8, 9/2, 10, 11/1, 12, 13/1, 26.
				10	25/2.
				11	1, 2, 3, 4/1, 4/2, 8, 9, 10.
				13	2/2, 3/1, 3/2, 4, 5/1, 5/2, 6/1, 6/2, 7/1, 7/2, 8, 9/1, 13/1, 13/2, 14/1, 14/2/1, 14/2/2.
				14.	4/2, 5, 6, 15, 22/1, 22/2 and Khasra no.22 min, 23 min, 24 min, 25, 26. 30.

Sd/-

Special Secretary to Government Haryana,  
Urban Estates Department.

True copy

Advocate.

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ANNEXURE 3

Regd.No.PB/0176/2003-2005

Seal

HARYANA GOVERNMENT GAZETTE  
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CHANDIGARH, TUESDAY AUGUST 10, 2004 (SRAVANA 18, 1926 SAKA)

HARYANA GOVERNMENT  
URBAN ESTATES DEPARTMENT

## Notification

10<sup>TH</sup> August, 2004.

No. LAC(G)-NTLA/2004/1077.- Whereas , it appears to the Governor of Haryana that the land specified below is needed by the Government at public expense, for the public purpose, namely, for development and utilization of land for Residential and Commercial, Sector 47, Gurgaon as shown in the development plan under the Haryana Urban Development Authority Act, 1977 by the Haryana Urban Development Authority in the area of village Jharsa, H.B. No.94, village Tikri, H.B.No.98, village Islampur, H.B.No.97, village Fatehpur, H.B.No.89, Tehsil and District, Gurgaon. which Haryana Government Estates Department Notification No.LAC(G)/NTLA/2003/921, dated 12<sup>th</sup> August, 2003 under Section 4 of the Land Acquisition Act, 1894 has been published, it is hereby declared that the land described in specification below is needed for the above purpose. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894 for information of all to whom it may concern.

The plans of the land may be inspected in the office of the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon

District	Tahsil	Village/ Locality and H.B.No.	Area in acres	Rectangle/Killa Nos./Khasra No.	
1	2	3	4	5	
Gurgaon	Gurgaon	Jharsa H.B.No.94	14.33 acres.	121	7/1, 7/2, 14, 16/1, 16/2, 16/3, 17, 24, 25/1, 25/2.

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				124	6
				125	7, 8/1/1, 8/1/2, 10, 14.
				126	4,5,6, 7/1, 7/2, 8/1, 8/2 min and Khasra No. 165 min, 198.
Gurgaon	Gurgaon	Tikri H.B.No.98	21.53 acres	11	4, 5, 6
				12	24, 25/1, 25/2
				13	10, 11/1min, 11/2, 12min, 18/2, 19/2, 23, 24, 25/1, 25/2.
				18	13, 21 and Khasra no.19 min, 20 min, 22.
Gurgaon	Gurgaon	Islampur H.B.No.97	5.09 acres		380, 618, 619, 620, 621, 622, 626, 627, 629.
Gurgaon	Gurgaon	Fatehpur H.B.No.89	75.39 acres.	1	15, 16, 25.
				2	11, 16, 17, 18/1, 18/2, 19, 20, 21, 22/1/1, 22/1/2, 22/2, 23, 24, 25.
				3	1, 4/2, 7, 10/2, 11, 12, 14/1, 14/2, 14/3, 17/1, 17/2, 18min, 19min, 20mm, 24/1, 24/2, 24/3, 26, 27.
				4	5, 6, 15, 21
				5	16, 17/1, 20/1, 23, 24, 25/1, 25/2.
				6	6, 7, 8, 14, 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20, 21, 22/1, 22/2, 23/1, 23/2, 24, 25, 26.
				7	5, 6.
				8	1/1, 1/2, 2, 3, 4, 5/1, 6, 8/1, 9/1, 10/1, 10/2, 15/1.
				9.	4/2, 5, 6, 7/1, 8, 9/2, 10, 11/1, 12,

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					13/1, 26.
				10	25/2.
				11	1, 2, 3, 4/1, 4/2, 8, 9, 10.
				13	2/2, 3/1, 3/2, 4, 5/1, 5/2, 6/1, 6/2, 7/1, 7/2, 8, 9/1, 13/1, 13/2, 14/1, 14/2/1, 14/2/2.
				14.	4/2, 5,6, 15, 22/1, 22/2 and Khasra no.22 min, 23 min, 24 min, 25, 26, 30.

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Sd/-  
Special Secretary to Government Haryana,  
Urban Estates Department.

True copy

Advocate.

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Ann. P-4

BEFORE THE LAND ACQUISITION COLLECTOR, SECTOR-14, 58  
GURGAON.

1. Thakriya (deceased) through his L.Rs.  
i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LRs:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Giani; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mehar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Duli s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;
9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu; (iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya, daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:  
i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Dei, widow; (iv) Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of Shyam Singh s/o Chhaju;
11. Raj Singh (deceased) through his L.Rs:-  
i) Lachhi Rma s/o Raj Singh s/o Chhaju,

Residents of village Fatehpur, Tehsil & District Gurgaon.

.....Objectors/Petitioners.

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Versus

State of Haryana through Collector, Gurgaon.

.....Respondent.

**OBJECTIONS UNDER SECTION 9(2) OF THE  
LAND ACQUISITION ACT NO.LAC(G)-  
NTLA/2005/195 DATED 05.08.2005 REGARDING  
THE LAND OF VILLAGE FATEHPUR, TEHSIL &  
DISTRICT GURGAON FOR DEVELOPMENT OF  
SECTOR 47, URBAN ESTATE, GURGAON.**

Sir,

The objectors/petitioners most respectfully submit as  
under:-

1. That the objectors/petitioners are co-owners in possession as Gair Marusi from the last more than 100 years and thus have occupancy rights under the Tenancy Law in the land, pucca residential houses and temple of Mata Sherawali from the last more than 80 years bearing Khewat No.117/1009, Khatoni No.129/126, Rect.No.6, Kila no.8(4-4), Khatoni No.127/124, Rect.No.3, Kila no.26(2-8), Rect.No.6, Kila No.26(19-16); Khewat No.117/109, Khatoni No.152, Rect.No.6, Kila No.3/1(0\_17), Rect.No.26(3-17), Khatoni No.128/125, Rect.No.6, Kila no.7(5-0), 19/1(5-2); Khewat No.117/109, Khatoni No.133/130, Rect.no.6, Kila no.3/2(2-14), 3(1-9), 6(4-13); Khewat No.117/109, Khatoni No.144/141, Rect. No.6, Kila No.16/2(5-2), 17/1(1-0), Khewat

No.117/109, Khatoni No.145/42, Rect.No.6, Kila No.24(8-0); Khewat No.117/109, Khatoni No.130/127, Rect.No.6, Kila no.14(8-0), 17/2(7-0), 18/1(3-14), Khatoni No.131/128, Rect.No.6, Kila No.7(2-16), Khatoni no.132/129, rect.no.5, Kila no.20/1(3-11) to the extent of their respective shares, situated within the revenue estate of village Fatehpur, Tehsil & District Gurgaon. The Gram Panchayat of village Jharsa neither any locus-standi nor has any right, title or interest and the Gram Panchayat has wrongly recorded as owners in collusion with concerned revenue officials.

2. That the objectors/petitioners have constructed their residential houses in the above-mentioned land and are residing therein since the time immemorial with their families and they have no other land for their residential purpose, except the land in question.

3. That the State of Haryana issued the above said notification under Section 9 of the Land Acquisition Act regarding the land in question. The respondent never issued any notice to the objectors/petitioners regarding the said acquisition prior to the said notice. The objectors/petitioners are interest persons and aggrieved, prefer the following objections:-

a) That the above-mentioned land has great potential value and is situated within the best locations of District Gurgaon. The land in question is located in the periphery of posh and residential colonies like DLF, Unitech, Mayfield Garden, Malibu town, Rosewood Garden, South City, Geenwood Housing Society including HUDA's already

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developed Sector; 32, 33, 38, 39, 44, 46 & 49-50. The market value in the said vicinity, where the land is situated is more than Rs.25,000/- per sq.yard. The posh residential societies and Group Housing Societies are located within a radius of 01.00 km from the land in question. The multi-storied well developed housing societies/Group Housing Colonies are also situated near the land under acquisition from many years;

b) That the District Gurgaon has its own importance for the posh residential and commercial/industrial/institutional Sectors in the map of the world. Each and every person have a dream to be associated with Gurgaon for the purposes of residential/commercial or Industrial due to its location, the land under acquisition has direct approach from Delhi and Indira Gandhi International Airport, thus the land in question has special potential value. In the above mentioned colonies near the land in question, the land/plot was mentioned colonies near the land in question, the land/plot was being sold @ Rs.25,000/- per sq.yard. The land in question has more potential value in comparison to the above mentioned fully developed residential colonies. The land in question is inter-connected with the above-mentioned colonies. The entire land nearby the land in question has already fully developed and all the necessary amenities like water, sewer, electricity are already available in the land in question;

c) That the land owners of villages Fatehpur (Jharsa) had sold out their undeveloped land, which situated just near the land in question @ Rs.2-2.50 crore per acre prior to the present notification regarding the land in question under Section 4 of the land acquisition act. Thus, the

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land in question has great potential and market value @ Rs.25,000/- per sq.yard in every aspect. However, the land under acquisition of the petitioners is fully developed and all the basic amenities are available in the land in question. Copies of sale deeds are attached herewith for your kind perusal please;

d) That the other land of objectors/petitioners had already been acquired by the HUDA for development of residential sectors, so they are in need of land in question for their own residential and commercial purposes, because they have no other land in vicinity. If, sufficient compensation is not granted to them, the objectors/petitioners would suffer irreparable loss and injury and the future of their respective family members would be ruined.

e) That according to the principles of equity and justice as well as the policy of the Haryana Government and each objectors/petitioners is entitled to be allotted at least one plot of 250 sq.yards/meters on the priority basis and on a reserve price under 'OUSTEE QUOTA'. Each Objectors/petitioners reserve the right to get a plot allotted as he was suffered on account of acquisition of their land against their wishes. Even respondent did not left the abadi land of the objectors/petitioners and it has become very difficult to objectors/petitioners to live in the village- so the allotting of plot of 250 sq.yards/meters is most necessary and important. That besides, the above mentioned due and profit, the objectors/petitioners are also entitled to get the benefits and compensation under Section 23(1) of the Land Acquisition Act.

P R A Y E R

In view of the above facts and circumstances, it is most humbly prayed that the objections of the objectors/petitioners may kindly be considered sympathetically and compensation of the land in question may kindly be decided @ Rs.25,000/- per sq.yard with all other benefits as per amended L.A. Act in favour of the objectors/petitioners in the interest of justice.

## Objectors/Petitioners

Dated 07.12.2005.

1. Thakriya (deceased) through his L.Rs.i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LR:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Giani; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mehar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Duli s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;
9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu; (iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya, daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:

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i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Dei, widow; (iv) Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of Shyam Singh s/o Chhaju;

11. Raj Singh (deceased) through his L.R.s:-

i) Lachhi Ram s/o Raj Singh s/o Chhaju,

Residents of village Fatehpur, Tehsil & District Gurgaon.

Sd/- Dharam Pal    sd/- Ram Kumar    sd/- Raj Singh    sd/- Satbir

sd/- Mange Ram

Sd/- Khazan    sd/- Hukam Chand    sd/-Daya Kishan    sd/- Mohan Singh

Sd/-Azad Singh    sd/- Chandgi Ram    sd/- Ramesh    sd/- Balbir

Sd/- Mahabir

1. Thakriya (deceased) through his L.Rs.i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LR:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Giani; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mehar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Duli s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;

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9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu;  
(iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya,  
daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:  
i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Dei, widow; (iv)  
Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of  
Shyam Singh s/o Chhaju;
11. Raj Singh (deceased) through his L.R.s:-  
i) Lachhi Rma s/o Raj Singh s/o Chhaju,  
Residents of village Fatehpur, Tehsil & District Gurgaon.

Through Counsel:

Sd/-

P.S.Thakran &

Rajesh Verma,

Advocates, Gurgaon.

True copy

Advocate.

Annexure P- 5

Award no.12 for the year 2004-05.

Made by Sh.Amar Deep Singh, HCS, Land Acquisition Collector, Urban estate, Haryana, Gurgaon, Acquisition for 35.51 acres of land in village Fatehpur, H.B.No.89, The and Distt. Gurgaon.

AWARD:-

The Urban Estates, Deptt. Haryana Govt. vide notification no.LAC (G)NTLA-2003/921 dated 12.8.2003 published in under Section 4 of the Land Acquisition Act, 1894 (herein after acres was likely to be needed by the Govt. at public expenses for a public purpose namely for the development and utilization of land as Residential, commercial, Institutional Area, Sector 47 at Gurgaon under the Haryana urban Development Authority act 1977 by the Haryana Urban Development authority in the area of village Fatehpur, H.B.No.89, Tehsil and Distt. Gurgaon.

Subsequently, declaration u/s-6 of the L.A.Act was issued on 10.8.04 vide notification no.LAC(G)-NTLA-2004/1077 vide which 75:39 acre of Lands was declared for acquisition. The State Govt. declared that the land under acquisition is needed for aforesaid public purpose. The Land Acquisition Collector, Urban Estate, Haryana, Gurgaon was also directed u/s 7 of the Act to take order for acquisition of land to question.

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AREA OF THE LAND:-

The area given in the declaration u/s-6 of Act was 75.39 acres. The present award deals with 35.51 acre of land. The award of rest of the land could not be announced due to orders of Hon'ble High Court passed on the basis of orders dated 8.7.05 passed in CWP No.10845/02. The area under this award has been measured at the spot by the field staff u/s 8 of the Land Acquisition Act and the same has been found correct. The details of this area are given in the statement no.1 which has been prepared according to the para 0.36-I of the Financial Commissioner's standing order no.28. The details of acquired number khasra & area under this award is as under:-

No.Khasra	Area	No.Khasra	Area
1//15	0-16	3//24/1	3-0
16	1-12	24/2	1-14
2//11	2-9	24/3	1-16
17	3-18	26	6-8
18/1	4-9	5//16	2-12
18/2	1-14	17/1	4-4
19	8-11	23	8-0
20	8-0	24	8-0
22/1/2	1-8	6//6	4-13
22/2	5-4	7	7-16
23	8-0	8	4-4
24	8-0	14	8-0
25	1-16	16/1	2-8

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3/1	8-0	16/2	5-12
4/2	7-0	17/1	1-0
7	6-4	17/2	7-0
14/1	1-6	18/1	3-14
14/2	2-15	18/2	3-14
14/3	0-14	19/1	5-2
17/1	0-13	19/2	2-18
17/2	3-15	6//24	8-0
18 min	0-16	25	8-0
19 min	1-16	26	19-16
20min	1-18	11/4/2	5-8
13//6/1	1-11		
6/2	3-2		
14/1	0-9		
14//4/2	2-16		
5	8-0		
6	8-0		
15	8-0		
22/2	0-17		
And Khasra no.			
22min	9-4		
23min	3-4		
24min	1-6		
25	7-0		
26	3-17		
30	0-18		

(35.51 acre).

The above said detail of the land was intimated to the land owners/interested persons through notices u/s-9 of the L.A.Act and was read over to them, before the announcement of the award. None of the interested persons raised any objections regarding the detail of the land under acquisition.

**DEMAND OF THE LAND OWNERS AND OTHER INTERESTED PERSONS.**

The notice u/s-9 of the Act were issued to the land owners and other interested persons for 29.4.05 to appear before the Land Acquisition Collector, Gurgaon, personally or through duly authorised agents to file the claims regarding the compensation and their objections if any, to the measurement of the land. The right holders/interest persons who turned up for hearing did not submit any documentary proof in support of their contentions nor laid any evidences to substantiate the claim.

**MARKET VALUE:-**

In order to arrive at a conclusion about the market value of the land under acquisition. I have visited the land under acquisition and taken into consideration its location and potentiality. To fix the market value Haryana Govt. has constituted a committee under Chairmanship of concerned Commissioner of the Division. The District Collector, Gurgaon was requested vide letter dated 19.11.04 to supply the market value price of land under acquisition. The rate was fixed by the Divisional level Land Rate Fixation Committee, Gurgaon and the

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same was supplied by the Id. District Collector, Gurgaon @ Rs.15,00,000/- per acre of all type of Land vide letter no.656/DRA dt. 23.6.05.

Keeping in view the above discussion and market rate intimated by the Ld. District Collector, Gurgaon, I have come to the conclusion that the rates fixed by the Divisional land rates fixation committee, Gurgaon are just and fair. So, I award the same accordingly.

**STRUCTURES/TUBEWELLS:-**

There are same structures/tube well on the acquired land. The value of the structures/tube well has been assessed by the Executive Engineer, HUDA, Division No.11, Gurgaon. I do not suffer with the same and award accordingly. The detail of said structures is attached with the land acquisition file.

**CROPS & TREES.**

There where no trees and cross standing on the acquired land.

**COMPULSORY ACQUISITION CHARGES:-**

In addition to this on account of compulsory nature of acquisition. 30% compulsory acquisition charge are allowed and additional amount on market value at the rate of 12% per annum will also be allowed under section 23(1-A) & 23(2) of L.A.Act from the date of notification u/s-4 i.e. 12.8.03 to the date of announcement of award i.e. 7.12.05 as provided in the amended Land Acquisition Act, 1894.

**INTEREST:-**

As the possession has been taken over after offering the amount of compensation of the land and the same has been handed over to the representative of Estate Officer, HUDA, Gurgaon vide Rapat no.182 7.12.05, entered in the Roznamcha Wakayati Patwari Halqa Wazirabad. Hence, no interest is payable to the land owners.

**MODE OF PAYMENT:-**

The payment will be made to the land owners and other interested persons according to their rights and shares of entered in the latest record of rights (Jamabandi) and keeping in view the mutations sanctioned thereafter. In case any dispute arises, as to the apportionment of the compensation or any part thereof, the amount of compensation will be kept in L.A.C. account till the parties come to an amicable settlement. If the parties do not come to an amicable settlement, the dispute will be referred to the court of law for decision. The detail apportionment is given in award statement attached with the Award file.

**POSSESSION OF THE LAND.**

The possession of the land acquired vide this award has been taken over after offering amount of compensation of the land as per law vide Rapat no.182 dated 7.12.05 entered in the Roznamcha Wakayat of Patwari Halqa Wazirabad, except of such land for which the land owners/interested persons have taken stay for dispossession from any court of law till today. The land thus acquired, of which the possession has been taken, vests in state of Haryana and on transfer now, vest in

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Urban Development Authority, free from all encumbrances from today  
i.e. 7.12.05.

**CONCLUSION:-**

Subject to the above fact this award stands as under:-

1.	Compensation for land	Rs.5,32,65,000/-
2.	Compensation for structure 30%.	Rs. 6,92,601/-
3.	Compulsory acquisition.	Rs.1,61,87,280/-
4.	Addl. amount @ 12% per annum from 12.8.2003 to 7.12.05 (27 months 25 day).	Rs.1,50,12,039/-
	Total	Rs.8,51,56,920/-

Announced this 7<sup>th</sup> day of December, 2005 in the open court in the  
presence of the land owners/interested persons who appeared before me.  
The award is now fixed in my office.

Place: Gurgaon.  
Dt. 7.12.2005.

Sd/-  
Land Acquisition Collector,  
Urban Estates, Hr.Gurgaon.

True copy

Advocate.

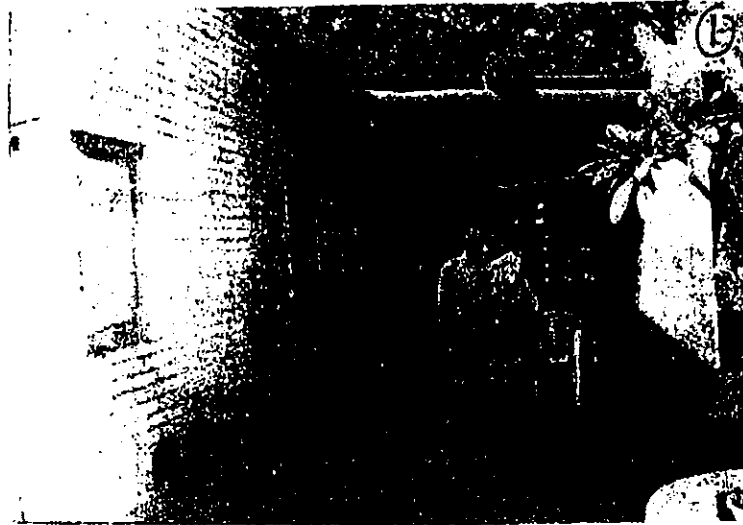


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House of Reishan s/o Manje Ram

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House of Rakesh S/o Mange Ram

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House of Jagdish S/o Raju



House of Kaishan Nephew of Sh Seji Ram

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House of Mahendaa S/o Soji Ram

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House of Sanitai w/o Rattan Lal

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House of Sant kam 3/0 Soji kam

Am. P. 14

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House of Sant kam S/o Soji kam

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House of Rajbir S/O Ganga Ram

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House of Sal bin S/o Soji Ram

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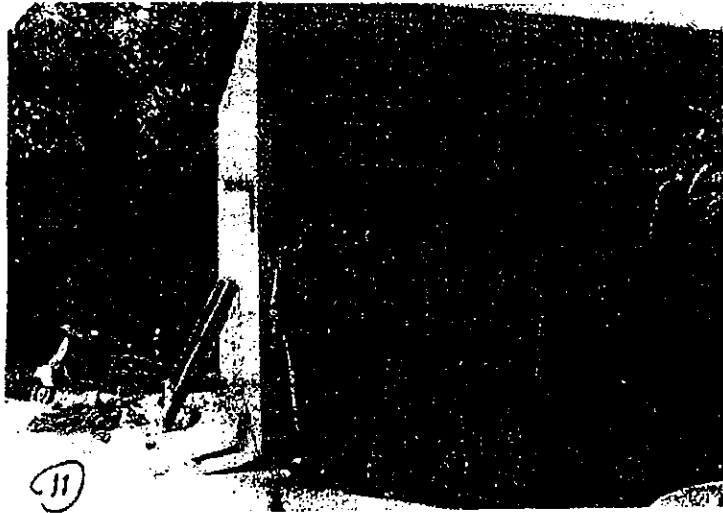
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House of Lochmi Devi w/o Mange Ram

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House of Taj Pal s/o Ganga Ram

Annexure P- 18 A

Proforma to be filled up by the concerned LAO while sending reports in land release cases:

Sr. No.	Particulars	Remarks
1.	Name of the landowner/applicant.	Fatehpur Gram Panchayat.
2.	a) Total area under acquisition & Khasra Nos.	6//16 6/6 (4-13), 7(7-16), 8(4-4), 14(8-0), 2(5-12), 17/1(0-1), 18/1 (3-14), 19(5-2).
	b) Release sought for what purpose & area of the land requested for release with Khasra Nos.	No
3.	Name of village/Urban Estate/Sector No.	Sector 47.
4.	Date of Notification under Section 4 & purpose of acquisition.	13.8.2003
5.	Whether objection under Section 5A filed or not? Govt. decision, if any.	Yes.
6.	Whether any area released under Section 5A.	Yes.
7.	LAO's recommendations on objection filed under Section 5A.	Yes.
8.	Govt. decision on LAO's recommendations.	No

9.		Date of Notification under Section 6.	10.8.2004
10.		Any recommendation in JSIC report? Decision of Govt. , if any.	-
11.	a)	Date of Award.	7.12.05.
	b)	Date of taking possession (Pl attach copy of Roznamcha/any other proof).	Yes.
12.	a)	Whether any structure was existing before under Section 4?	Earlier.
	b)	If yes, details of structure.	Earlier sent (now report 5A attached)
	c)	Whether landowner/his family was residing at the time of Section 4, if residential structure?	Yes
	d)	Date of Award of Structure & Amount	No
13.	a)	If award announced, whether compensation received by the applicant or not.	Section 30 stands sent in Court.
	b)	If yes, details thereof.	-
	c)	Whether any land released earlier except under Section 5A (Column No.6)? If so area, the level/stage of acquisition when released.	No.
15.	a)	Any Court case pending or not CWP No.& title of the case.	No
	b)	Whether any stay granted – copy thereof.	-



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ANNEXURE P-19

**NOTICE**

You are all informed that the land on which you are in possession belongs to HUDA Deptt. and you have taken illegal possession of the same. You are requested that you may vacate the land within 24 hours, otherwise HUDA Deptt. would forcibly remove you from the land.

**BY ORDER  
ESTATE OFFICER-2,  
HARYANA URBAN DEVELOPMENT AUTHORITY  
GURGAON**

True Translation,

Advocate

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Demolished House

Ann. p. 20 to 46

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Ann 8-21

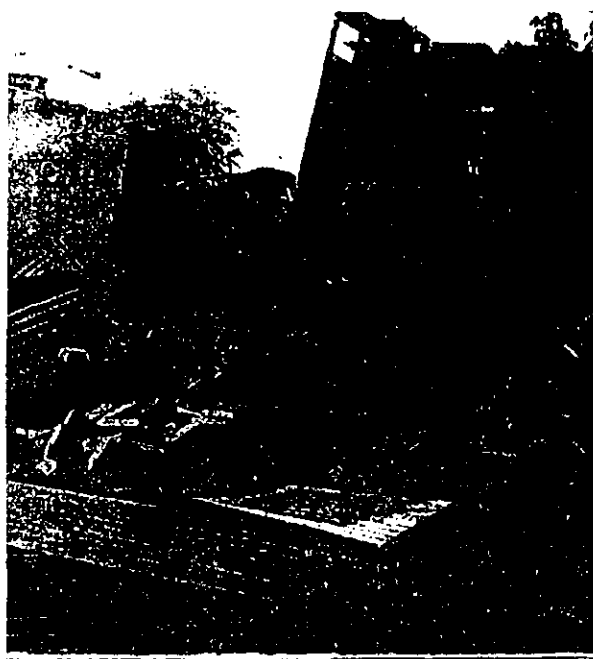
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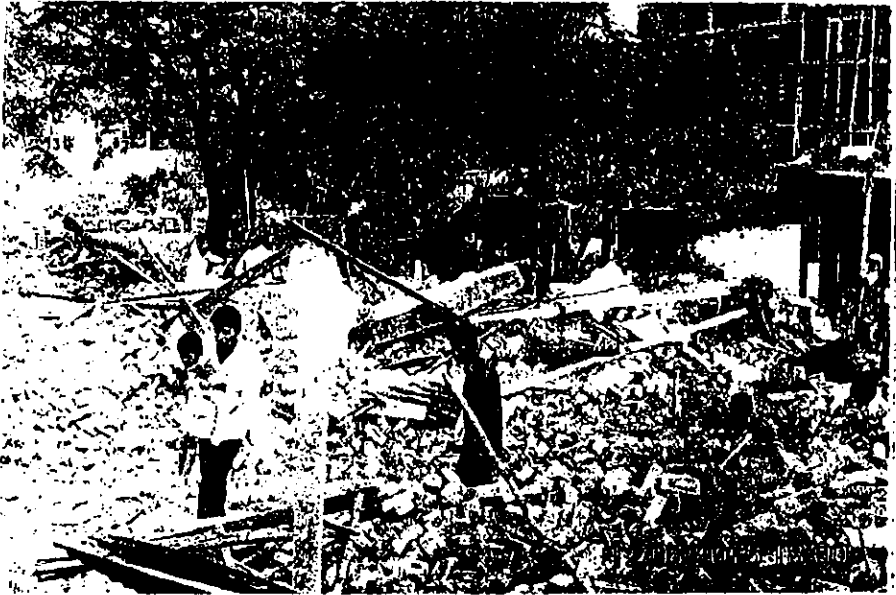


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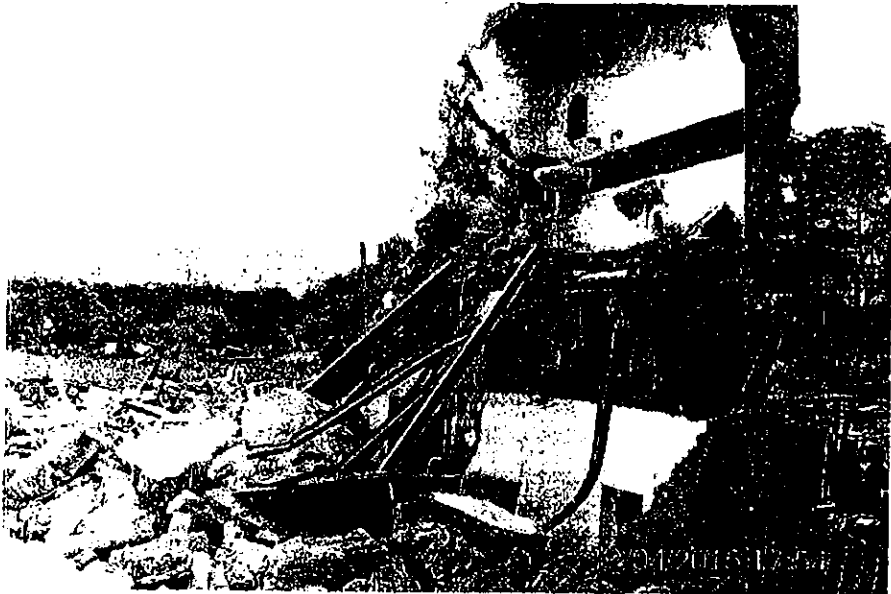


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Ann 1-26

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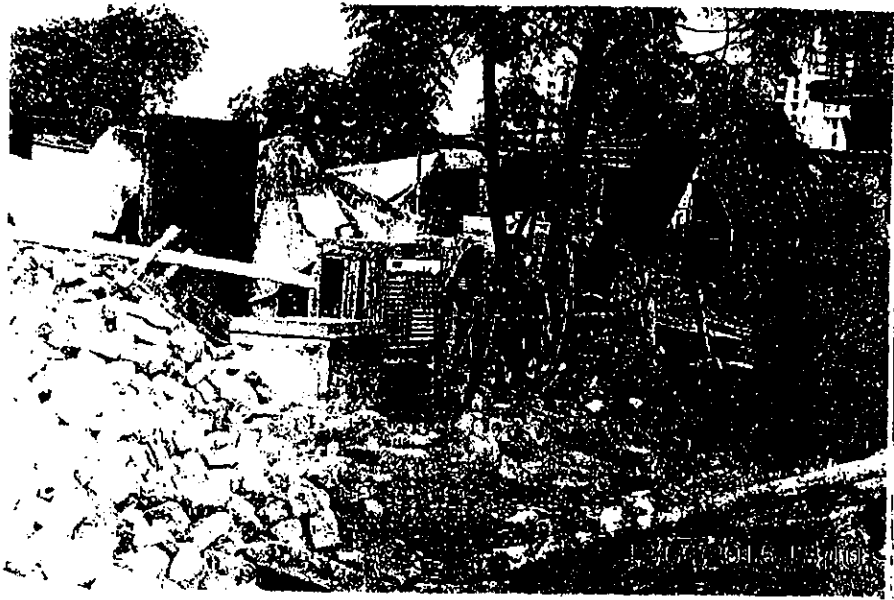


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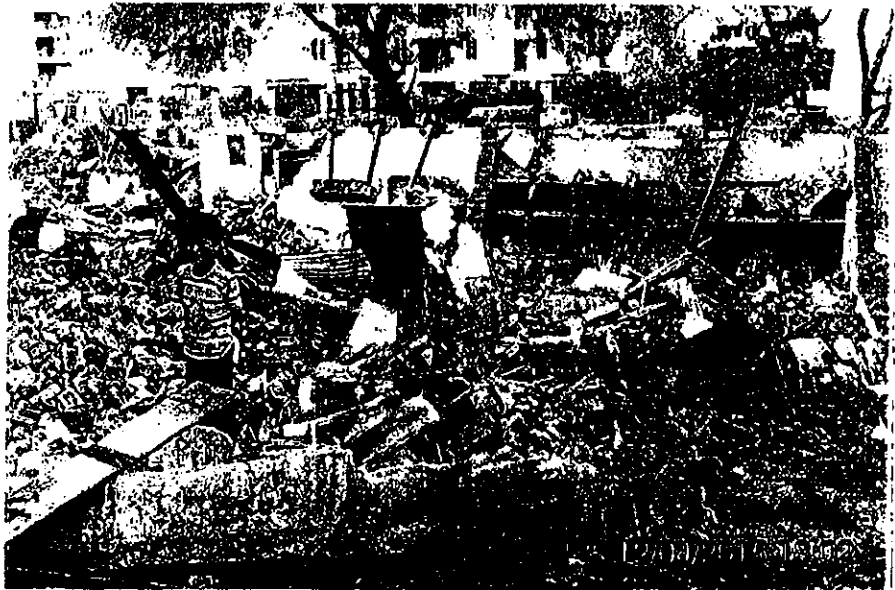


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Annexure P- 47

13.4.2015

By Registered Post

To .

1. Respected S.H.O., Sadar, Gurgaon.
2. Respected Deputy Commissioner, Gurgaon.
3. Respected Police Commissioner, Gurgaon.
4. Respected Commissioner, Municipal Corporation, Gurgaon.
5. Respected Director General of Police, Haryana, Panchkula.
6. Hon'ble Chief Minister, Haryana Government, Chandigarh.
7. His Excellency, The Governor of Haryana State, Chandigarh
8. Hon'ble Prime Minister, Govt. of India, New Delhi.
9. His Excellency, The President of India, New Delhi.
10. Respected Chairman, Human Right Commission, Govt. of India, New Delhi.
11. Respected Chairman, Women Commission, Govt. of India, New Delhi.
12. Respected Chairman, Minor Children Commission, Govt. of India, New Delhi.
13. Respected Chairman, Women Commission, Haryana, Panchkula.
14. Respected Chairman, Human Right Commission, Chandigarh.

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15. Respected Chairman, Lokayukta, Haryana, Chandigarh.
16. Hon'ble the Chief Justice, Punjab and Haryana High Court, Chandigarh.
17. Hon'ble the Chief Justice, Hon'ble Supreme Court of India, New Delhi.

Subject:- Application for taking action against the Criminal/defaulters conniving with builders, capitalists, Uniworld & Unitech owners for making unnecessary pressure, illegal demolltion of Rs.205 crores property, for taking domestic article and damaging it and taking jewellery articles forcibly, unlawfully and by unfair means, for behaving shameful act with Women, youngsters and for keeping unlawful custody, against human right, women right, child right, threate of killing and for involving in false cases etc. against single village Fatehpur Jharsha of 100 years old of Kashyaps residents.

Respected Sir,

It is respectfully submitted that we the applicants belong to Kashyap backward class and are residing permanently from last 100 years in Village Fatehpur Jharsa, Sector 47, Gurgaon with our families. The employees of Haryana Police pasted notices on 11.4.2015 at 6.00 P.M. at different places to vacate the village within 24 hours. On 12.04.2015 at 8.00 AM, large police force in hundreds including lady police, HUDA Deptt. employees surrounded out village. Ladies and youngsters of village were caught abused and by shameful and illegal way taken into custody and unlawfully and they were taken and kept in illegal custody at unknown places upto 4 PM. Police force on 12.04.2015 at 8.00 AM started demolition illegally way by deploying 6 JCBs, 4 Tractor Trolleys and two Fire Brigade vehicle. At that time Shri Krishan Pal Kashyap son of Sh.Bhagwan Sahai resident of Ashok Vihar, Gurgaon, Shri Pardeep Singh Kashyap son of Sh.Ram Chander Singh,

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resident Madanpuri, Gurgaon, Shri Lokram Kashyap son of Jagatnath resident of New Basti, Gurgaon, Shri Krishan Kumar Kashyap son of Sh.Chander Parkash, resident of Badshahpur and Shri Satbir Singh Kashpat son of Bahadur resident of Badshahpur were also present on spot, who have seen the whole incident with their eyes. 205 pucca houses with domestic articles were completely demolished. 205 pucca old houses of village Fatehpur Jharsa were destroyed completely and turned into plain land and made us all houseless. We all resident of village belong to below poverty line (BPL). Local Police and HUDA employees of Gurgaon have done a great atrocity to women, children, elders and youngsters. They have done a great loss of Rs.205 cores by destroying the domestic articles of Fatehpur Jharsa village. Essential services like electricity, water and all public health amenities were stopped/closed and threatened all villagers to vacate the village immediately otherwise you will be got involved in false cases. Human Right, Women Right and Child Right were violated completely and openly. Our village Fatehpur Jharsa, Sector 47 is spread over/inhabited in 13 acres of land. Multi storey flats of great builders and capitalists were built around our whole village. Big builders - Uniworld and Unitech were hatching out a criminal conspiracy in connivance with HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P. This small village of 100 years old of Kashyap residents were demolished illegally in connivance of HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P and after taking illegal gratification of crores of rupees. Democratic rights were violated openly. The domestic articles

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and jewellery of villagers were forcibly and illegally taken away by HUDA employees of Gurgaon. Electricity, water meters etc. were illegally disconnected. HUDA employees of Gurgaon have also taken away the electric meters with them. We have not seen such shameful injustice till today. Local Police and HUDA employees of Gurgaon have forced us to live in open by murder of democracy. We are earning our livelihood for our BPL families and the police has left us under the open Sky by demolishing our houses in village. We are voters of this village and house tax receipts and electricity bills are with us. Our Ration Card, Identity Cards are made of this village long ago. Uniworld and Unitech Builders have fortified our poor village of Kashyap residents of below poverty line illegally by making boundary wall all around. So, it is humbly requested that stern legal action may be taken against the culprits in conspiracy by registering a case against HUDA employees of Gurgaon, Police force Gurgaon, Estate Officer-2, HUDA Dpett. involved in the illegal and shameful demolition of 205 kashyap families with domestic articles of village Fatehpur Jharsa, Sector 47, Gurgaon. All villagers were given the compensation of Rs.205 crores immediately for their houses and domestic articles demolished illegally and forcibly. Our village Fatehpur Jharsa may be got reconstructed and electricity and water arrangement be made immediately. All villagers provided food stuff etc. Arrangement of villagers be made to live permanently in the village till the reconstruction of our village by HUDA Deptt. and Haryana Govt. is taken up. We all will continue our agitation in village by taking resort to Satyagreh, by on going Hunger strike and sitting on

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fast till end of our lives in our village and till justice is done with us. In case there is any loss of life and property of poor backward class of Kashyap of permanent resident of Fatehpur Jharsa family, Sector 47, Gurgaon, then Govt. of Haryana will be fully responsible. Today we came to know that HUDA has planned to acquire our village illegally without giving notice.

So, we all villagers with utmost respect pray that justice be provided to 100 years old village of Fatehpur Jharsa inhabitants of Kashyap Backward class society immediately.

Thanking you,

Sd/-  
Sd/-  
All residents- Fatehpur Jharsa,  
Sector 47, Gurgaon, Haryana  
List attached.

True copy

Advocate.

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Ann.P- 48

Extract of news item published in 'The HINDU' English Daily  
dated 13.4.2015.

CITY/NCR:

### HUDA demolishes over 200 houses

13 - acre Gurgaon village land cleared of encroachment in 8 hours.

Ashok Kumar

GURGAON: More than 1,200 houses people, including newborns, the elderly and pregnant women, were left to fend for themselves under the open sky after the Haryana



The scene after demolition at Fatepur village in Sector 47, Gurgaon, on Sunday.

PHOTOS BY ASHOK KUMAR AND MANOJ KUMAR

The action has been taken.

Urban Development Authority (HUDA) officials along with the police demolished over 200 houses at Fatepur (Jharsa) village in Sector 47 here on Sunday.

In an eight-hour-long operation that began at 6 a.m. the HUDA officials and the Gurgaon Police together raised the houses in the village spread over 13 acre and cleared the land of encroachment.

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After the demolition squad left, the villagers could be seen searching the rubble for their belongings, some trying to put together corrugated iron sheets on bamboos to erect makeshift huts and others cooking in the open.

"We had not even got up in the morning when the police in large numbers, over 2,000 policemen, surrounded the village and began the demolition drive. We were outnumbered and had no choice but to helplessly watch the police raze our houses. They spared only three temples and nothing else," said Rajender, an auto-driver.

The village is mostly inhabited by the people belonging to backward Kashyap community.

As per the HUDA, the land in question was to be used as access road for Unitech's Uniworld Garden-II Apartments residential project and other public amenities, but was encroached upon. The encroachment had delayed possession to over 800 odd flat owners holding flats in the project.

A local court had also directed the police to lodge a First Information Report against three directors of Unitech Realty Private Limited, besides six others, six months ago in this connection.

The police had tried to clear the encroachment in 2011 as well, but the operation was aborted due to violent protests in which two vehicles were set afire and several people were injured.

Locals accuse the BJP Government of acting in connivance, with the builders, when, they say, are eyeing this prime land.

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The villagers, however, claimed that the land belonged to them and they were settled here for the past over too years. "These people have been staying here since 1938 and can produce evidence in this connection. Now suddenly, the government has rendered them homeless without any notice and rehabilitation plan.

"The action has been taken by the BJP government in connivance with the builders who are eyeing this prime land. We had met the Chief Minister in December and he had assured that no action would be taken, still they did this to us," said Haryana Kashyap Rajput Sabha Vice President -- Pradeep Singh Kashyap.

Not willing to give up, village headman Mohan Kashyap said they would continue to stay in the village and not evacuate the land under any circumstances. "They have broken our homes. We have lost our belongings. Now we have nothing to lose. We will fight it out in the court and on the streets," Said Mohan.

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True Extract

Advocate.

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Annexure P- 49

To

dt. 15.4.15.

Phone No.011-24651750.

Respected Shri K.G.Balakrishan Ji,  
President,  
National Human Right Commission,  
Human Right Bhavan, Block-C,  
J.P.O. Complex, I.N.A.,  
NEW DELHI-110 023.

Respected Sir,

Namaskar,

64786/CR/15 64786/CR115

Subject:- Application for taking action against the Criminal/defaulters conniving with builders, capitalists, Uniworld & Unitech owners for making unnecessary pressure, illegal demolition of Rs.205 crores property, for taking domestic article and damaging it and taking jewellery articles forcibly, unlawfully and by unfair means, for behaving shameful act with Women, youngsters and for keeping unlawful custody, against human right, women right, child right, threate of killing and for involving in false cases etc. against single village Fatehpur Jharsha of 100 years old of Kashyaps residents.

Respected Sir,

It is respectfully submitted that we the applicants belong to Kashyap backward class and are residing permanently from last 100 years in Village Fatehpur Jharsa, Sector 47, Gurgaon with our families. The employees of Haryana Police pasted notices on 11.4.2015 at 6.00 P.M. at different places to vacate the village within 24 hours. On 12.04.2015 at 8.00 AM, large police force in hundreds including lady police, HUDA Deptt. employees surrounded out village. Ladies and youngsters of village were caught abused and by shameful and illegal way taken into custody and unlawfully and they were taken and kept in illegal custody at unknown places upto 4 PM. Police force on

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12.04.2015 at 8.00 AM started demolition illegally way by deploying 6 JCBs, 4 Tractor Trolleys and two Fire Brigade vehicle. At that time Shri Krishan Pal Kashyap son of Sh.Bhagwan Sahai resident of Ashok Vihar, Gurgaon, Shri Pardeep Singh Kashyap son of Sh.Ram Chander Singh, resident Madanpuri, Gurgaon, Shri Lokram Kashyap son of Jagatnath resident of New Basti, Gurgaon, Shri Krishan Kumar Kashyap son of Sh.Chander Parkash, resident of Badshahpur and Shri Satbir Singh Kashpat son of Bahadur resident of Badshahpur were also present on spot, who have seen the whole incident with their eyes. 205 pucca houses with domestic articles were completely demolished. 205 pucca old houses of village Fatehpur Jharsa were destroyed completely and turned into plain land and made us all houseless. We all resident of village belong to below poverty line (BPL). Local Police and HUDA employees of Gurgaon have done a great atrocity to women, children, elders and youngsters. They have done a great loss of Rs.205 cores by destroying the domestic articles of Fatehpur Jharsa village. Essential services like electricity, water and all public health amenities were stopped/closed and threatened all villagers to vacate the village immediately otherwise you will be got involved in false cases. Human Right, Women Right and Child Right were violated completely and openly. Our village Fatehpur Jharsa, Sector 47 is spread over/inhabited in 13 acres of land. Multi storey flats of great builders and capitalists were built around our whole village. Big builders - Uniworld and Unitech were hatching out a criminal conspiracy in connivance with HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P. This

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small village of 100 years old of Kashyap residents were demolished illegally in connivance of HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P and after taking illegal gratification of crores of rupees. Democratic rights were violated openly. The domestic articles and jewellery of villagers were forcibly and illegally taken away by HUDA employees of Gurgaon. Electricity, water meters etc. were illegally disconnected. HUDA employees of Gurgaon have also taken away the electric meters with them. We have not seen such shameful injustice till today. Local Police and HUDA employees of Gurgaon have forced us to live in open by murder of democracy. We are earning our livelihood for our BPL families and the police has left us under the open Sky by demolishing our houses in village. We are voters of this village and house tax receipts and electricity bills are with us. Our Ration Card, Identity Cards are made of this village long ago. Uniworld and Unitech Builders have fortified our poor village of Kashyap residents of below poverty line illegally by making boundary wall all around. So, it is humbly requested that stern legal action may be taken against the culprits in conspiracy by registering a case against HUDA employees of Gurgaon, Police force Gurgaon, Estate Officer-2, HUDA Dpett. involved in the illegal and shameful demolition of 205 kashyap families with domestic articles of village Fatehpur Jharsa, Sector 47, Gurgaon. All villagers were given the compensation of Rs.205 crores immediately for their houses and domestic articles demolished illegally and forcibly. Our village Fatehpur Jharsa may be got reconstructed and electricity and water arrangement be made immediately. All villagers provided food

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stuff etc. Arrangement of villagers be made to live permanently in the village till the reconstruction of our village by HUDA Deptt. and Haryana Govt. is taken up. We all will continue our agitation in village by taking resort to Satyagreh, by on going Hunger strike and sitting on fast till end of our lives in our village and till justice is done with us. In case there is any loss of life and property of poor backward class of Kashyap of permanent resident of Fatehpur Jharsa family, Sector 47, Gurgaon, then Govt. of Haryana will be fully responsible. Today we came to know that HUDA has planned to acquire our village illegally without giving notice.

So, we all villagers with utmost respect pray that justice be provided to 100 years old village of Fatehpur Jharsa inhabitants of Kashyap Backward class society immediately.

Thanking you,

Sd/- Krishan Pal Kashpay  
9313706090

Sd/- Mohinder Kashyap,  
9718294586

Sd/- Mohan Singh Kashyap  
9990570429.

Sd/-  
Pardeep Singh Kashyap,  
All villagers, Fatehpur Jharsa,  
Sector 47, Gurgaon, Haryana  
List attached.  
M.No.9990900997

House No.939,  
Street No.11, Madanpuri,  
Gurgaon 122 027 (HR).

True copy

Advocate.

159

129

Annexure P-50

Assistant Registrar (LAW) Case No.3828/7/5/2015/OC  
Fax No.:011-24651332 NATIONAL HUMAN RIGHTS COMMISSION  
(LAW DIVISION)

\* \* \*

MANAV ADHIKAR BHAWAN  
Block-C, G.P.O.COMPLEX, NEW DELHI-110 023.

Case No.3828/7/5/2015

Dated 12.05.2015

To

THE CHIEF SECRETARY,  
GOVT. OF HARYANA, CHANDIGARH.

Sub: Complaint from

PRADEEP KASHYAP AND OTHERS,  
R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
GURGAON, HARYANA.

Sir,

The complaint dated 15.04.2015, was placed before the  
Commission on 08.05.2015. Upon perusing the complaint, the  
Commission directed as follows:-

*Transmit a copy of the complaint to the concerned authority  
calling for a report within four weeks.*

2. Accordingly, I am forwarding herewith a copy of the  
complaint for taking appropriate action in the matter as per the directions  
of the Commission. It is requested that an Action Taken Report be sent  
to the Commission within a 4 weeks from the date of receipt of this  
letter.

Yours faithfully,

Sd/-

Encl: As above.

CC to

ASSISTANT REGISTRAR(LAW)

Case No.3828/7/5/2015  
PRADEEP KASHYAP AND OTHERS,  
R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
GURGAON, HARYANA.

True copy

ASSISTANT REGISTRAR(LAW)

Advocate.

160

130

Annexure P- 51

Assistant Registrar (LAW) Case No.3828/7/5/2015/OC  
 Fax No.:011-24651332 NATIONAL HUMAN RIGHTS COMMISSION  
 (LAW DIVISION)

\* \* \*

MANAV ADHIKAR BHAWAN  
 Block-C, G.P.O.COMPLEX, NEW DELHI-110 023.

Case No.3828/7/5/2015

Dated 12.05.2015

To

THE DIRECTOR GENERAL OF POLICE,  
 POLICE HEADQUARTERS, SEC.6, PANCHKULA,  
 HARYANA.

Sub: Complaint from

PRADEEP KASHYAP AND OTHERS,  
 R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
 GURGAON, HARYANA.

Sir,

The complaint dated 15.04.2015, was placed before the  
 Commission on 08.05.2015. Upon perusing the complaint, the  
 Commission directed as follows:-

*Transmit a copy of the complaint to the concerned authority  
 calling for a report within four weeks.*

2. Accordingly, I am forwarding herewith a copy of the  
 complaint for taking appropriate action in the matter as per the directions  
 of the Commission. It is requested that an Action Taken Report be sent  
 to the Commission within a 4 weeks from the date of receipt of this  
 letter.

Yours faithfully,

Sd/-

Encls:As above.

CC to

ASSISTANT REGISTRAR(LAW)

Case No.3828/7/5/2015

PRADEEP KASHYAP AND OTHERS,  
 R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
 GURGAON, HARYANA.

True copy  
 Adv.

ASSISTANT REGISTRAR(LAW)

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Ann. p. 53

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Ann 8-54

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Am. P-55

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Ann - 56

135



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Ann P. 57  
136



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Ann b 58

137



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P. 19

(144)

सूचना

आप सब को सूचित किया जाता है कि आप जिस जमीन पर काबिज हैं वह जमीन हुडा विभाग की है तथा आपने इस पर नाजायज कब्जा किया हुआ है । आपसे अनुरोध है कि आप सब इस जमीन को चौबीस घण्टे के अन्दर—2 खाली कर देवे अन्यथा हुडा विभाग द्वारा आप को जबरन हटाया जावेगा ।

आदेशानुसार

सम्पदा अधिकारी—2

हरियाणा शहरी विकास प्राधिकरण,

गुडगांव ।

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

162 CWP-10558-2015  
BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.

Present: Mr.Ashish Aggarwal, Senior Advocate  
with Mr.Ankit Aggarwal, Advocate  
for petitioners No.37, 63 & 87.

Mr.O.P.Goyal, Senior Advocate  
with Mr. R.S.Kang, Advocate  
for the petitioners.

\*\*\*

Learned counsel for the petitioners inter alia submitted that land in question is primarily being acquired with malafide intention to benefit respondents No.9 & 10. It was urged that the petitioners are residents of that area which is being acquired illegally. They being in possession are entitled to retain the same in view of the provisions of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013.

Notice of motion to the respondents for 27.07.2015.

Notice regarding stay as well.

Process *dasti* only.

In the meantime, *status quo* shall be maintained. It is, however, clarified that it shall be the responsibility of the petitioners to serve the respondents before the date fixed, failing which the interim order shall stand vacated.

(AJAY KUMAR MITTAL)  
JUDGE

(REKHA MITTAL)  
JUDGE

May 25, 2015.  
Davinder Kumar

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

214 CWP No.10558 of 2015  
CWP No.20732 of 2014 and  
CWP No.15943 of 2015 (O&M)

BHEEM SINGH KASHYAP AND ORS. VS STATE OF  
HARYANA AND ORS.

Present: Mr. O.P.Goyal, Sr. Advocate with  
Mr. Vijay Singh, Advocate,  
Mr. Vijay S.Kajla, Advocate for  
Mr. Kulwant Singh, Advocate for the petitioner(s).

Ms. Palika Monga, DAG, Haryana.

Mr. Aashish Chopra, Advocate  
for respondents No.9 and 10  
in CWP No.10558 of 2015 and  
respondent No.6 in CWP No.20732 of 2014.

Ms. Shriya Kalra, Advocate for  
Mr. Satish Aggarwala, Advocate  
for respondent No.11 in CWP No.10558 of 2015.

Mr. Lokesh Sinhal, Advocate for HUDA.

\*\*\*\*

Heard.

Admitted.

To be listed for final hearing on 20.07.2016.

To be taken up at Sr. No.1.

A photocopy of this order be placed on the files of  
other connected cases.

[ AJAY KUMAR MITTAL ]  
JUDGE

[ DARSHAN SINGH ]  
JUDGE

25.04.2016  
Vinay

H.C.J.C. = 50

147 HC (New Govt. Press, U.P. Chd)

Application for which urgency is claimed should be submitted to the Deputy Registrar before 11 a.m. and will ordinarily be laid before the Judge appointed to dispose the applications of this class with his petitions on the day following that on which the application is presented.

The application may, however, if specifically requested and the reasons for the request stated, be submitted for orders on the day of presentation. In no case, however, will an application received after 11 a.m. be submitted for orders on the day of presentation.

IN THE HIGH COURT OF JUDICATURE FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CM-12995 of 2015

To Amended Crl No 10558/2015

The Adml. Registrar, High Court, Chandigarh Title of case

Sheena Singh Petitioner/Applicant

State of Haryana Respondent. Sir.

Will you kindly treat the accompanying petitions as an urgent one in accordance with the provision of Rule 9, Chapter 3-A, Rules and Order High Court, Volume V.

2. The grounds of urgency are--

Amended Crl Petition is prayed for

Report B. 29/9/15

Yours faithfully,

Randeep Singh

Advocate.

RANDEEP SINGH SINGH P-972-2019

for Petitioner.

Dated 29/9/15

5-10-15  
LST  
30/9/15

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

*CM 12995/15*  
AMENDED CIVIL WRIT PETITION NO.10558 OF 2015

Bheem Singh Kashyap and others through Pradeep  
Kashyap, Power of Attorney Holder

.....Petitioners

Versus

State of Haryana and others.

....Respondents.

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1B	Affidavit in support of amendment application.	28.9.2015	F-J	-
1	List of events.	18.5.2015	1-9	-
2.	Amended Civil Writ Petition No.10558 of 2015 under Article 226 of the Constitution of India	<u>18.5.2015</u> <u>23.9.2015</u>	10-41B	
3.	Affidavit in support of the Petition	18.5.2015	42-43	
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	Copy of the List of Residents of village Faltehpur (Jharsa).			
5.	Annexure P-2	12.8.2003	52-54	
	Copy of notification issued under Section 4 of Land Acquisition Act.			
6.	Annexure P-3	10.8.2004	55-57	
	Copy of notification issued under Section 6 of Land Acquisition Act.			
7.	Annexure P-4	Undated	58-65	
	Copy of objections filed under Section 9(2) of Land Acquisition Act			

*Copy Recd  
Ram Lal  
w/c  
Lotest Singh  
Ad J  
Deemed C.A. No  
Azar Ram  
C.A. Salim  
Aggrieved  
29/9/15*

OFFICE OF  
ADVOCATE GENERAL  
Undated  
29/9/15  
HARYANA

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**VERNACULAR**

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Total Court Fee Rs. 3.00

1. Law points are in para No. 25 at page number 36 of the Writ Petition.
2. Relevant statutes and rules
  - (i) Constitution of India
  - (ii) Land Acquisition Acts
3. Any other Writ Petition Nil
4. True and correct copy of Annexures P-1 to P-58 has been filed with amended petition.

Note:-1. It is not a petition filed as PIL. 170 petitioners are affected parties who have filed this writ petition.

CHANDIGARH  
DATED: 18.5.2015  
23.9.2015

*Randeep Singh Smagh*  
(Randeep Singh Smagh),  
Advocate/P/972/2014  
COUNSEL FOR THE PETITIONERS.

"B"

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

AMENDED CIVIL WRIT PETITION NO.10558 OF 2015

Bheem Singh Kashyap and others through Pradeep  
Kashyap, Power of Attorney Holder.

.....Petitioners

Versus

State of Haryana and others.

....Respondents.

Total court fee affixed :

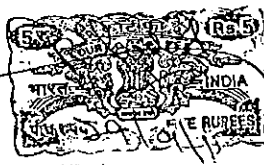
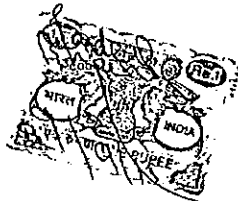
Rs.

3.00

7.00

60

*request from*



CHANDIGARH

DATED: 18.5.2015  
23.9.2015

*Randeep Singh*  
(Randeep Singh Smagh),  
Advocate/P/972/2014

COUNSEL FOR THE PETITIONERS.

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**C.M. NO. 2995 OF 2015

IN: CWP NO.10558 OF 2015

Bheem Singh Kashyap and others, through Power of Attorney Holder  
Pardeep Kashyap.

.... Petitioners/Applicants

Versus

State of Haryana &amp; Ors

.... Respondents

Application under Order 6 Rule 17 read with Section  
151 CPC for amendment of the writ petition.

**RESPECTFULLY SHOWETH:**

1. That the above mentioned case is pending and fixed for arguments for 5.10.2015. Only respondents No.6 and 8 have filed their joint reply and other respondents even though served have not filed the written statement.
2. That in the head-note of the writ petition, 'a writ in the nature of certiorari for quashing Annexure P-2 dated 12.8.2003 and Annexure P-3 dated 10.8.2004' has been mentioned, but in the prayer clause no prayer for quashing Annexures P-2 and P-3 has been made.

3. That in the body of the writ petition, provisions of Section 24 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013 has been reproduced and submissions have been made that acquisition shall be deemed to have lapsed since the Award was made on 7.5.2005 and physical possession of the land has not been taken from the petitioners and they have also not been paid the compensation.

4. That in the Head-note of the writ petition, a declaration that the acquisition proceedings have elapsed under Section 24(2) of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 has not been mentioned by inadvertence and therefore, amendment to this effect is prayed for to be made in the Head Note.

5. That the question of law in view of Section 24(2) of the 2013 Act regarding acquisition deemed to have lapsed has been framed, but no prayer has been made with respect to quashing of Annexures P-2 and P-3 and also regarding declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Act has been made.

6. That the petitioners are praying for quashing of Annexures P-2 and P-3 of the Land Acquisition Act and also that a declaration be made that the acquisition proceedings shall be deemed to have lapsed in view of the fulfillment of 3 conditions under Section 24(2) of the Act.

7. That the petitioners, therefore, submit that the following amendments may kindly be allowed to be made. No prejudice shall be caused to all the respondents.

a) In the Head note of the writ petition after (ix) and before AND any other writ, order or direction the following sub para (x) may kindly be ordered to be added by way of amendment:-

(x) A declaration that the acquisition proceedings under Section 24 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 have elapsed be ordered to be made since all the ingredients as mentioned in Sub Section 24(2) are complete in the present case.

b) In para no.25 at page 36 of the writ petition, question no.(viii) may kindly be ordered to be added after question no.(vii) and before para no.26 of the writ petition:

“(viii) Whether notification under Section 4 Annexure P-2 dated 12.8.2003 and Annexure P-3 dated 10.8.2004 under Section 4 of the Land Acquisition Act 1894 are liable to be quashed



on the pleas taken in the writ petition  
and also on the facts and circumstances of the  
case?

- c) That in the prayer clause, after prayer (i) and before (ii), the following prayer may kindly be inserted as prayer nos. (ii) and (iii) respectively:

“(ii) to issue a writ in the nature of certiorari quashing notification issued under Section 4 dated 12.8.2003, Annexure P-2 and also notification issued under Section 6 dated 10.8.2004 Annexure P-3 under the Land Acquisition Act, 2013

(iii) a declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013, be made by this Hon'ble Court;

- d) That prayer no. (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) and (xiii) may be re-numbered as prayer no. (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv) and (xv), respectively.

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- E -

8. That no prejudice shall be caused to the respondents since respondents other than respondent No.6 and 8 have not filed any reply/written statement to the writ petition.

9. That amendment prayed for is bonafide. There is no malafide intention since the prayer has been inadvertently missed-out to be included in the main writ petition. There is no much delay seeking amendment in the writ petition.

It is, therefore, respectfully prayed that the above amendments may kindly be ordered to be allowed in the writ petition, in the interest of justice. The amended writ petition is attached with the amendment application.

CHANDIGARH

DATED 23.9.2015.

*Randeep Singh*  
(RANDEEP SINGH SMAGH)  
ADVOCATE  
ENRLMNT NO.P/942/2014  
COUNSEL FOR THE PETITIONERS

275

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-F-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M. NO. 12995 OF 2015

IN: CWP NO.10558 OF 2015

Bheem Singh Kashyap & Ors, through Power of Attorney Holder Pardeep Kashyap and others.

.... Petitioners/Applicants

Versus

State of Haryana & Ors

.... Respondents

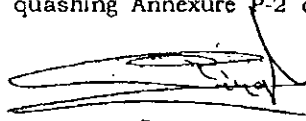
Affidavit of Pardeep Kashyap, son of Sh.Ram Pal Kashyap, Power of Attorney holder of 170 petitioners, Ex. resident of village and Post Office, Fatehpur (Jharsa), Distt.Gurgaon (now residing no where (Nomad).



I, the above named deponent, do hereby solemnly affirm  
and state as under:

1. That the above mentioned case is pending and fixed for arguments for 5.10.2015. Only respondents No.6 and 8 have filed their joint reply and other respondents even though served have not filed the written statement.

2. That in the head-note of the writ petition, 'a writ in the nature of certiorari for quashing Annexure P-2 dated 12.8.2003 and Annexure P-3

  
(PARDEEP KASHYAP)

dated 10.8.2004' has been mentioned, but in the prayer clause no prayer for quashing Annexures P-2 and P-3 has been made.

3. That in the body of the writ petition, provisions of Section 24 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013 has been reproduced and submissions have been made that acquisition shall be deemed to have lapsed since the Award was made on 7.5.2005 and physical possession of the land has not been taken from the petitioners and they have also not been paid the compensation.

4. That in the Head-note of the writ petition, a declaration that the acquisition proceedings have elapsed under Section 24(2) of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 has not been mentioned by inadvertence and therefore, amendment to this effect is prayed for to be made in the Head Note.

5. That the question of law in view of Section 24(2) of the 2013 Act regarding acquisition deemed to have lapsed has been framed, but no prayer has been made with respect to quashing of Annexures P-2 and P-3 and also regarding declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Act has been made.



*[Handwritten signature]*

GADEEP KASHMIRI

6. That the petitioners are praying for quashing of Annexures P-2 and P-3 of the Land Acquisition Act and also that a declaration be made that the acquisition proceedings shall be deemed to have lapsed in view of the fulfillment of 3 conditions under Section 24(2) of the Act.

7. That the petitioners, therefore, submit that the following amendments may kindly be allowed to be made. No prejudice shall be caused to all the respondents.

a) In the Head note of the writ petition after (ix) and before AND any other writ, order or direction the following sub para (x) may kindly be ordered to be added by way of amendment:-

(x) A declaration that the acquisition proceedings under Section 24 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 have elapsed be ordered to be made since all the ingredients as mentioned in Sub Section 24(2) are complete in the present case.



b) In para no.25 at page 36 of the writ petition, question no.(viii) may kindly be ordered to be added after question no.(vii) and before para no.26 of the writ petition:

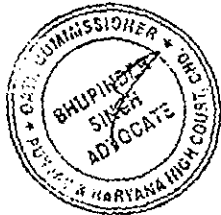
(SARDAR KASHVAB)

*[Handwritten signature]*

"(viii) Whether notification under Section 4 Annexure P-2 dated 12.8.2003 and Annexure P-3 dated 10.8.2004 under Section 4 of the Land Acquisition Act 1894 are liable to be quashed on the pleas taken in the writ petition and also on the facts and circumstances of the case?

c) That in the prayer clause, after prayer (i) and before (ii), the following prayer may kindly be inserted as prayer nos. (ii) and (iii) respectively:

"(ii) to issue a writ in the nature of certiorari quashing notification issued under Section 4 dated 12.8.2003, Annexure P-2 and also notification issued under Section 6 dated 10.8.2004 Annexure P-3 under the Land Acquisition Act, 2013



(iii) a declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013, be made by this Hon'ble Court;

d) That prayer no. (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) and (xiii) may be re-numbered as prayer no.

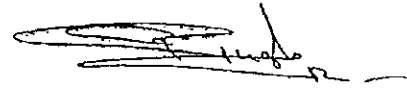
(PARDEEP KACHYAP)

(iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv) and (xv), respectively.

8. That no prejudice shall be caused to the respondents since respondents other than respondent No.6 and 8 have not filed any reply/written statement to the writ petition.

9. That amendment prayed for is bonafide. There is no mala fide intention since the prayer has been inadvertently missed-out to be included in the main writ petition. There is no much delay seeking amendment in the writ petition.

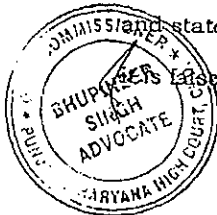
CHANDIGARH  
DATED 26.09.2015

  
DEPONENT

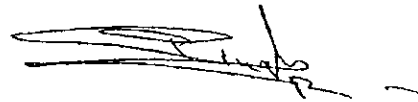
(PARDEEP KASHYAP)

VERIFICATION

I, the above named deponent, do hereby solemnly affirm and state that contents of my above affidavit are true and correct. No part of the same is false and nothing has been concealed therefrom.



CHANDIGARH  
DATED 26.09.2015



DEPONENT

amanged  
Signature  
Bhupinder Singh  
Advocate  
Chandigarh  
Punjab & Haryana High Court  
Chandigarh

724  
Statement made  
at Chandigarh  
Certified to be true  
on 26.09.2015  
Pardeep Kashyap  
Pardeep Kashyap  
Fodetofu thoste  
Amezam  
JGARS  
Chandigarh

(PARDEEP KASHYAP)

THE CONTENTS OF THIS AFFIDAVIT HAVE BEEN  
RECORDED IN THE COURT BOOKS  
OF THE COURT AND THE  
SIGNATURE OF THE DEPONENT  
IS CORRECTLY MARKED  
ON 26.09.2015

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

AMENDED CIVIL WRIT PETITION NO.10558 OF 2015

Bheem Singh Kashyap and others, through Pradeep Singh  
Kashyap, Power of Attorney Holder.

.....Petitioners

Versus

State of Haryana and others.

....Respondents.

LIST OF EVENTS

Sr. No.	Date	Description
1.	-	This petition is being filed by 170 petitioners out of whom 167 are the residents of village Fatehpur (Jharsa). Petitioner no.168 is Ex.Sarpanch of Fatehpur Jharsa also from 1983-2006 and is thus closely associated with the welfare of village Fatehpur(Jharsa). Petitioner no. 169 and 170 are the registered body of Rajput Kashyat who are directly interested and affected in the welfare of its members.
2.	4.3.15	That as per the survey conducted by the officials of HUDA between 4.3.15 to 5.3.16, 205 families were residing as per the survey report (Ann.P-1).
3.	-	That all the 205 families belonging to Kashyap community which is declared as backward class, majority

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of them are illiterate and are farm laborers and are very very poor.

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4 25.5.2011 That Fatehpur (Jharsa) is an old village of 100 years existence. The fore-fathers of 205 persons came from Jharsa village and land was given to them and settled there and became Dholidars for the Service rendered by them as held by the Award given by Additional District Judge on 25.5.2011 in LAC case No.359 of 2006. Dholidars have been given the right of ownership by the State of Haryana.

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5. - Abadi Deh is excluded from the definition of Shamlat deh as given in Village Common Land Act, 1961 and therefore 13 acres of land inhabited by the Members of Kashyap community at Fatehpur (Jharsa) cannot be said to be a Shamlat land nor Gram Panchayat becomes its owner. As per the judgment delivered on 25.5.2011 by Ld.Addl.Distt. Judge the compensation has been granted to one of the Dholidar and there has not been any apportionment as demanded by Gram Panchayat, Fatehpur Jharsa.

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6. 12.8.2003 Section 4 notification acquiring land comprised Fatehpur Jharsa was issued (Ann.P-2). Objections under section 5A of Land Acquisition Act were filed and the land acquisition collector made recommendation to the State

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Govt. that Pucca houses and buildings have been constructed prior to Section 4 notification. Notification and land under pucca houses may not be acquired. Houses have been constructed prior to Section 4 notification.

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7. 10.8.2004 Notification under Section 6 of the Land Acquisition Act was issued that the land of village Fatehpur Jharsa is acquired for development and utilization of land for residential and commercial in Sector 47, Gurgaon. The land of the petitioners were acquired in spite of the fact that the Pucca houses were standing on the acquired land and 205 families were residing in the 100 years old village.

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8. - That in reply to Section 9(2) notice under the Land Acquisition Act, land owners submitted their objections (Ann.P-4).

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9. 7.12.2005. The land Acquisition Collector made and announced the Award on 7.12.2005 including 13 acres of 205 families where their fore-fathers and they have constructed their houses and residing therein since 100 years (Ann.P-5). Possession has remained throughout with the petitioners but a report no.182 dt. 7.12.2005 was made according to which entry Rojnamcha Wakyati of Patwari Halqa, Wazirabad. It is strange that Halqa Patwari of village

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Jharsa is a separate Halqa Patwari and not Halqa Patwari of Wazirabad is connected. The only entry in record has been made but no possession by any means have been taken from the petitioners. It is only a symbolic possession which have been shown to have been taken. It is only a paper entry. The petitioners were neither dispossessed nor actual physical possession were taken from them.

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10. - That the petitioners were not paid compensation nor they have received the compensation. The amount of compensation had not been deposited in the court nor the petitioners were ever informed.

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11. 1.1.2014 The right to fair compensation and transparency in land Acquisition and Rehabilitation Act, 2013 was notified and came into effect. As per Section 24(2) the acquisition proceedings initiated under the Land Acquisition Act shall be deemed to have been lapsed. The petitioners fulfill both the conditions of Section 24(2). Award has been made on 7.12.2005. More than 5 years have lapsed. Actual physical possession has been throughout with the petitioners. No compensation has been paid to them. Nor it has been deposited in any court. Therefore, the acquisition of land can be said to have lapsed and there is thus no acquisition of Fatehpur

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- Jharsa land.
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12. - That during the course of proceedings the petitioners made efforts for the release of land and Ann.P-18A was prepared by the LAO. Reference to Ann.P-18A may kindly be made in this regard.
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13. 2011. In 2011, an attempt was made by HUDA for demolition of houses but on representation by the petitioners and assurance was given that no demolition would take place in future and petitioners shall be allowed to continue and reside in their houses. The residential area spread over 13 acres of land with houses all around with the little notification here and their.
- 
14. 11.4.15 An undated notice was pasted on various place in the various place of Fatehpur Jharsa and also distributed amongst the village about 6.00 PM. The notice was regarding vacation of the village within 24 hours failing which forcible removal of villagers shall take place. Residential area spread over 13 acres of land with some houses of petitioners is pictorially represented vide Ann.P-6 to P-18 clearly show that the houses existed uptill 11.4.2015 and the residents were residing therein.
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15. 12.4.15 Before the expiry of 24 hours, Police force in large number, HUDA employees, bouncers by 2 builders namely Unitech Pvt.Ltd. and Uniworld Garden-II
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surrounded the village. Ladies and gentlemen of village were caught, beaten and taken away for unknown places. Police force came from Narnaul, Bahadurgarh and Faridabad. 6JCBs, 4 tractor trolleys and 2 fire brigade were on spot in demolition process. Pucca houses with domestic articles were completely demolished. Bouncers were let loose and houses were razed into plain and residences were made homeless. The residences of village belonging to BPL family. Kashyap caste is a backward class. Local Polic and HUDA Employees, Gurgaon committed atrocities with children, women and elderly men. Live stock, Buffalo and cows beaten and driven away from the village. Loss in crores were caused by destructions of Pucca houses and Households goods. Essential services, like water, electricity and public health amenities were stopped and they had threatened the villagers to vacate the village, failing which they would be involved in false criminal cases. Human rights, children and women rights were all violated completely.

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16. - That it may be submitted that multi storey flats of builders of Unitech Pvt.Ltd. and Uniworld Garden-II are complete on the side of the village. The two builders have hatched a conspiracy with HUDA and Police. Police and Senior Leaders of BJP are bent upon to grab
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the prime land. Money has gone in hand to Police Deptt. and also to HUDA. Sh.Vijay Kumar was SHO Sadar, Gurgaon. Ms.Anita Yadav was the Administrator HUDA, Gurgaon and Sh.Tarun Kumar Pawaria was Estate Officer-II, HUDA, Gurgaon. Some of the household goods and jewellery were forcibly taken away by HUDA Deptt. Electricity and Water meters were taken away by some of HUDA employee during demolition. It was a complete mess and bedlam perpetuated everywhere. Democracy was murdered. Residents were forced to live in open after demolltion. It may be submitted that house tax receipts, electricity bills are there. Voter identity cards and Ration cards of the residents were made many years ago. The villagers lived on the debri in the open of their houscs. The photograph of debri from Ann.P-22 to P-46 may kindly be seen. One Harish Kumar Ex.Patwari in LAO office and now in HUDA was present to supervise the demolition process. (Ann.P-26 to P-46).

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17. That the petitioners sent representation to 17 authorities on 13.4.15 detailing out their agony and helplessness (Ann.P-47). The National Press also noticed agony and sufferings of 205 families of village Fatehpur Jharsa. The Hindu English Daily dt. 13.4.15 carried the news. (Ann.P-48). The petitioners sent representation to the 17
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- authorities giving all the details of the incidents about demolition of the houses (Ann.P-49).
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18. The National Human Right Commission asked the Chief Secretary, Haryana Govt. and also DGP Haryana Govt. on Action Taken Report on the complaint filed by the residents of the village (Ann.P-50 and 51).
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19. 15.5.15 The respondents proceeded to commit atrocities and violation of all human right on 15.5.2015. Reference to para 23 of writ petition may kindly be made in this respect. Photographs taken on 15.5.15 showing the presence of Police, JCBs, Household goods, water cannon and removal of debri by the help of JCBs etc. is pictorially represented (Ann.P-52 to 58). The question of law have been submitted in para 25 of the writ petition. Article 21 of the Constitution of India give right to live has been completely violated to the minutest details.
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#### **CHALLENGE.**

The challenge in this writ petition is that the petitioners are residents - Dholders of the village. Fatehpur Jharsa the village is 100 years old village. The forcfathers and now the petitioners have been living there since very very long time. The houses have been constructed much prior to Section 4 notification. It is abadi deh. They have become the owners of land by virtue of declaration that Dholders are owner of the land. It is no more a Shamlat land. Section 24(2) is

fully applicable in the present case. The acquisition proceedings shall be deemed to have lapsed, hence no acquisition. The Houses had been constructed much prior to date of Section 4 notification. Report of land Acquisition Collector under Section 5A may also be perused from the record of State Govt. In connivance with Unitech Pvt.Ltd. and Uniworld Garden-II and Haryana Police, HUDA Employees, Bouncers and machinery employed by the respondents have razed the houses of resident to land. The atrocities committed by the respondents in connivance with each other is stated in para 15 and also in para 23 of the writ petition. All women rights have been violated. Women, children, old people, pregnant ladies have been left in the open, threatened, harassed, beaten and taken into custody etc. On the other hands, cases have been registered by Police against villagers. A CBI inquiry or an inquiry by Senior Judicial officer is requested to be constituted to know the truth about the connivance of the builders with HUDA and Police. The residents are living in the open on the land. The democracy and welfare State concept may kindly be seen in 21 century. Various reliefs have been prayed for. Now they are constructing the roads and buildings over 13 acres of land. Article 21 of the constitution of India have been completely violated.

CHANDIGARH  
DATED: 18.5.15

Randeep Singh  
(Randeep Singh Singh)  
(Ranjeet Singh Kaur)  
ADVOCATE  
ENRLT.NO.P/1031/2017  
COUNSEL FOR THE PETITIONERS

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

**AMENDED CIVIL WRIT PETITION NO.10558 OF 2015**

1. Bheem Singh Kashyap s/o Moji Ram Kashyap
2. Raghbeer Kashyap S/o Chandra Prakash Kashyap.
3. Ram Rati Kashyap W/o Sultan Kashyap.
4. Babli Kashyap W/o Ashok Kashyap
5. Sonu Kashyap s/o Sultan Kashyap
6. Krishan Kashyap s/o Mange Ram Kashyap
7. Rakesh Kashyap s/o Mange Ram Kashyap.
8. Laxmi Devi Kashyap D/o Mange Ram Kashyap
9. Balwan Kashyap s/o Raghbir Kashyap.
10. Krishan Kashyap s/o Balwan Kashyap.
11. Tejpal Kashyap s/o Ganga Ram Kashyap.
12. Prem Chand Kashyap s/o Ganga Ram Kashyap.
13. Jagdish Kashyap s/o Raghbeer Kashyap.
14. Sandeep Kashyap. s/o Rajendra Kashyap.
15. Rajendra Kashyap s/o Ganga Ram Kashyap.
16. Anil Kumar Kashyap s/o Sh.Ram Pat Kashyap.
17. Sunil Kashyap s/o Sh.Ram Pat Kashyap.
18. Ram Pat Kashyap s/o Gyani Ram Kashyap.
19. Ram Pal Kashyap s/o Gyani Ram Kashyap.
20. Pradeep Kashyap s/o Ram Pal Kashyap.
21. Luxmi Devi Kashyap W/o Bal Kishan Kashyap.
22. Satbeer Kashyap S/o Chandra Prakash Kashyap.
23. Manoj Kashyap. s/o Satbeer Kashyap.

24. Sant Ram Kashyap. S/o Soji Ram Kashyap.
25. Narsi Kashyap. S/o Sant Ram Kashyap.
26. Satbeer Kashyap. S/o Soni Ram Kashyap.
27. Monu Kashyap S/o Prem Chand Kashyap
28. Krishan Kashyap. S/o Chandra Kashyap.
29. Mahender Singh Kashyap S/o Soji Ram Kashyap.
30. Ramesh Kashyap. S/o Amar Singh Kashyap.
31. Jitender Kashyap. S/o Ramesh Kashyap.
32. Sandeep Kashyap. S/o Raghbeer Kashyap.
33. Suraj Kashyap. s/o Amar Singh Kashyap.
34. Sunder Kashyap. S/o Gyani Ram Kashyap.
35. Virender Kashyap. S/o Sunder Kashyap
36. Amit Kashyap. S/o Sunder Kashyap.
37. Mohan Singh Kashyap S/o Amar Singh Kashyap.
38. Rajesh Kashyap S/o Amar Singh Kashyap.
39. Ratan Lal Kashyap. s/o Ram Swroop Kashyap.
40. Sanjay Kashyap. S/o Ratan Lal Kashyap.
41. Narender Kashyap. S/o Chotu Ram Kashyap.
42. Mahesh Kashyap. s/o Hari Prasad Kashyap.
43. Rohtash Kashyap S/o Mahesh Kashyap.
44. Vikram Kashyap S/o Mahesh Kashyap.
45. Naveen Kashyap S/o Santram Kashyap.
46. Om Prakash Kashyap. S/o Mahender Singh Kashyap
47. Mahesh Kashyap S/o Udey Chand Kashyap.
48. Ballu Kashyap S/o Udey Chand Kashyap.
49. Vinod Kashyap S/o Satbeer Singh Kashyap.
50. Hukam Singh Kashyap S/o Thakeria Kashyap.
51. Ratam Singh Kashyap S/o Hukam Singh Kashyap
52. Krishan Kashyap s/o Ratan Singh Kashyap.

53. Sonu Kashyap. S/o Ratan Singh Kashyap.
54. Surender Kumar Kashyap S/o Ratan Singh Kashyap
55. Gajender Kashyap. S/o Ratan Singh Kashyap.
56. Prem Kumar Kashyap. S/o Ratan Singh Kashyap.
57. Daya Ram Kashyap. S/o Hukam Kashyap Singh
58. Ajay Kumar Kashyap. S/o Daya Ram Kashyap.
59. Karamveer Kashyap. S/o Hukam Singh Kashyap.
60. Manoj Kashyap. S/o Karamveer Kashyap
61. Cheenu Kashyap. S/o Daya Ram Kashyap.
62. Krishan Gopal Kashyap. S/o Ram Kishan Kashyap
63. Vikas Kashyap S/o Krishan Gopal Kashyap
64. Kailash Kashyap. S/o Krishan Gopal
65. Tika Ram Kashyap. S/o Ganga Ram
66. Asha Devi Kashyap. D/o Krishan Gopal
67. Suresh Kashyap. S/o Ram Kishan
68. Sonu Kashyap. S/o Suresh
69. Krishan Kurnur Kashyap s/o Suresh
70. Dharam Pal Kashyap. S/o Baljeet
71. Mahavee Kashyap S/o Khajan Singh
72. Rambeer Singh Kashyap S/o Ram Kishan
73. Maha Singh Kashyap. S/o Amar Singh
74. Nand Kishor Kashyap S/o Balbeer Singh
75. Krishan Kashyap S/o Balbeer Singh
76. Jyoti/Manju Kashyap. d/o Ram Pal
77. Ashok Kumar Kashyap S/o Narayan Singh
78. Chand Kashyap S/o Narayan Singh
79. Radhey Shyam s/o Narayan Singh
80. Sonu Kashyap S/o Narayan Singh
81. Bhagwati Kashyap W/o Banti

82. Pappu Kashyap. S/o Tare
83. Dilbagh Singh Kashyap S/o Tare
84. Sunny Kashyap. S/o Dijbagh Singh
85. Dayanand Kashyap S/o Udey Chand
86. Rakosh Kashyap S/o Dayanand
87. Kishan Pal Kashyap. S/o Bhagwan Sahib
88. Ashwani Kashyap s/o Dr.Kanwar Pal
89. Pradeep Kashyap. S/o Ram Chander Singh
90. Dharambeer Kashyap. S/o Mamchand
91. Sonu Kashyap S/o Dharambeer
92. Ashok Kumar Kashyap S/o Dharambeer
93. Naveen Kashyap. S/o Dharambeer
94. Vijay Kashyap. S/o Mamchand
95. Rajbeer Kashyap S/o Mamchand
96. Satbeer Kashyap S/o Tek Chand
97. Beer Singh Kashyap. S/o Satbeer
98. Balram Kashyap. S/o Satbeer
99. Narinder Kashyap. s/o Satbeer
100. Vikaram Kashyap. S/o Satbeer
101. Sukhbeer Kashyap. s/o Tek chand
102. Charan Singh Kashyap. S/o Tek Chand
103. Rajender Kashyap S/o Tek Chand
104. Cuptan Singh Kashyap. S/o Tekchand
105. Hawa Singh Kashyap S/o Tekchand
106. Jagbir Kashyap s/o Dulichand
107. Jai Prakash Kashyap s/o Ram pal
108. Bijender Kashyap S/o Ram Pat
109. Jai Bhagwan Kashyap S/o Ram Pat
110. Shyamo Devi Kashyap w/o Ram Pal

111. Mohan Singh Kashyap S/o Ram Pal  
112. Navraj Singh Kashyap s/o Ram Pal  
113. Anil Kashyap s/o Bagru  
114. Chand Kashyap s/o Bagru  
115. Dharmender Kashyap s/o Bagru  
116. Ram Kumar Kashyap s/o Teja  
117. Ram Niwas Kashyap S/o Ram Kumar  
118. Ravi Kashyap s/o Ram Niwas  
119. Dinesh Kashyap S/o Ram Kumar  
120. Rajesh Kashyap s/o Ram Kumar  
121. Ramesh Kashyap S/o Teja  
122. Satish Kashyap S/o Ramesh  
123. Kamal Kashyap s/o Ramesh  
124. Rajbeer Kashyap s/o Chander Prakash  
125. Anand Kashyap S/o Rajbeer  
126. Rohit Kumar Kashyap S/o Rajbeer  
127. Ramvati Kashyap W/o Bagru  
128. Sukhbeer Singh Kashyap s/o Attar Singh  
129. Attar Singh Kashyap s/o Lachi Ram  
130. Monu Kashyap S/o Attar Singh  
131. Suraj Kashyap S/o Bharat Singh  
132. Babu Lal Kashyap S/o Ram Kala.  
133. Budhram Kashyap S/o Leelu Ram  
134. Devinder Kashyap S/o Laxman Singh  
135. Ranbeer Kashyap S/o Balbeer Singh  
136. Surender Kashyap S/o Laxman  
137. Phoolvati w/o Laxman Singh  
138. Suraj Bhan Kashyap s/o Laxman  
139. Puran Mal Kashyap S/o Madan Lal

140.	Brij Gopal Kashyap	S/o Madan lal
141.	Ramesh Kashyap	s/o Moti Ram
142.	Satbeer Kashyap	S/o Deep Chand
143.	Vinod Kumar Kashyap	S/o Suraj Bhan
144.	Sushil Kumar Kashyap	S/o Suraj Bhan
145.	Vakeel Kumar Kashyap	S/o Suraj Bhan
146.	Kela Devi Kashyap	W/o Puppon
147.	Geeta Devi Kashyap	d/o Shree Chand
148.	Beero Kashyap	D/o Moji Ram
149.	Bitu Kashyap	S/o Kishan Lal
150.	Rani Kashyap	W/o Bholu
151.	Jagga Kashyap	S/o Chattar Singh
152.	Sunil Kashyap	S/o Dilbagh Singh
153.	Dharmnder Kashyap	S/o Dhanesh Chand
154.	Vicky Kashyap	S/o Kishan Lal
155.	Dilip Kashyap	S/o Mangal Ram
156.	Rajender Kashyap	Jagge Ram Kashyap
157.	Karan Singh Kashyap	s/o Madu
158.	Dharanbeer Kashyap	S/o Raje Kashyap
159.	Monu Kashyap	S/o Raje Kashyap
160.	Anand Pal Kashyap	s/o Kishan Pal Kashyap
161.	Jitender Singh Kashyap	S/o Ramchander Singh Kashyap
162.	Lok Ram Kashyap	S/o Jagannath.
163.	Shiv Charan Kashyap	s/o Ram Kala.
164.	Ashok Kashyap	s/o Karan Singh
165.	Kallu	s/o Ram Kala
166.	Subhash Kashyap	s/o Ghunnay

- 167 Ravi Kashyap S/o Raghbeer Kashyap  
All Residents of Village & P.O. Fatehpur (Jharsa),  
Distt. Gurgaon, Haryana.
168. Khazan Singh, Advocate s/o Brij Lal, Ex.-Sarpanch, Fateypur  
(Jharsa) from 1983-2000 resident of Jharsa, Tehsil and District  
Gurgaon.
169. Residents Welfare Association, Jharsa (Regd.), Newar Zaildar  
Complex, Jharsa Road, Gurgaon through Sh.Nand Kishore s/o  
Sh.Balbir Singh.
170. Haryana Rajput Sabha (Regd.No.184), Head Office, Haryana  
Kashyap Rajput Dharamshala, Kurukshetra (Haryana), through  
Sh.Pardeep Singh Kashyap State Vice President. All the  
petitioners from S.No.1 to 170 are represented through their  
Power of Attorney Holder Pardeep Singh Kashyap.

.....Petitioners

Versus

1. State of Haryana through the Financial  
Commissioner and Principal Secretary to Govt.  
Haryana, Town and Country Deptt. Civil Secretariat,  
Chandigarh.
2. The Land Acquisition Collector, Urban Development  
Deptt., Sector 14, Gurgaon.
3. Haryana Urban Development Authority, Sector 6,  
Panchkula through its Chief Administrator.

4. HUDA Department, through Administrator, Gurgaon, Sector 14, Gurgaon.
5. The Estate Officer-II, Haryana Urban Development Authority, Sector 34, Gurgaon.
6. Station House Officer, Sadar, Gurgaon.
7. Collector, Distt. Gurgaon-cum District Magistrate and Deputy Commissioner of Distt., Gurgaon.
8. Commissioner of Police, Gurgaon.
9. M/s.Unitech (P) Ltd., Sector 47, Gurgaon through its Managing Director.
10. M/s.Uniworld Garden-II, Sector 47, Gurgaon through its Managing Director.
11. Uniworld Garden-II, Apartment Owners Association (Regd.), Sector 47, Gurgaon through its authorized representative Shri Santosh Gupta, son of Shri Vishnu Deo Gupta, resident of Flat No.1, 2<sup>nd</sup> Floor, Lilac 1, Sector 49, Sohna Road, Near Omaxe Gurgaon Mall, Gurgaon 122 018.

....Respondents.

CIVIL WRIT PETITION under Article 226 of the Constitution of India for a writ in the nature of certiorari quashing Ann.P-2 dated 12.8.2003 and Ann.P-3 dated 10.8.2004 and also for a writ of mandamus that—

- i) A CBI or Judicial inquiry as to how 205 houses have been razed to the ground on 12.4.2015 between 8 AM to 4 PM by Estate Officer-II, SHO Sadar, Gurgaon, in connivance with Unitech (P) Ltd. and Uniworld Garden-II.
- ii) to Rehabilitate 205 families where their houses were in existence in village Fatehpur Jharsa.
- iii) To pay compensation of Rs.205 crores to all the families living and rendered homeless on 12.4.2015.
- iv) To register cases against Estate Officer-II, HUDA, Gurgaon and SHO, Sadar, Gurgaon for taking law into their hands in connivance with Uniworld Garden-II and Unitech (Pvt.)Ltd. by demolishing the houses of the petitioners & rendering them homeless.
- v) to hold an inquiry that the record of the Estate Officer-II, HUDA, Gurgaon have been prepared falsely as against the possession of the petitioners and

other 199 families being in possession of the land and houses till 12.4.2015 at 8 AM and also regarding the payment of compensation not having been deposited.

vi) not to remove the petitioners forcibly from the site of village-Fatehpur (Jharsa) where their houses existed upto 12.4.2015 and to rehabilitate 205 families where their houses were in existence in Fatehpur Jharsa village.

vii) To restore the drinking water, shelter and supply of electricity supply and for providing medicines and medical help to the sick families.

viii) A Judicial enquiry by Senior Judicial officer for cracking nexus of Politicians, bullders, bureaucrats and HUDA Deptt. Officers, Gurgaon and Police Officers and also in the barbaric act of torching the debries and pushing it into the pond (Johar) and pits dug in the houses with the help of JCBs.

ix) Construction of Road building and house building may be ordered to be stopped on the 13 acres of land belong to the petitioners;

(x) A declaration that the acquisition proceedings under Section 24 of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act, 2013 have elapsed be ordered

to be made since all the ingredients as mentioned in Sub Section 24(2) are complete in the present case.

And

any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case be also issued.

**RESPECTFULLY SHOWETH.**

1. That the petitioners are the citizen of India and hence they are entitled to invoke the extra-ordinary writ jurisdiction of this Hon'ble Court as the acquired land was owned and possessed by the petitioners no.1 to 167, who are the residents of village Fatehpur (Jharsa). The petitioner No.168 is the Ex.Sarpanch from 1983 to 2006 of village (Jharsa) in Gurgaon and is thus very closely associated with the welfare of village Fatehpur (Jharsa). The petitioner No.169 is the Residents Welfare Association, Jharsa which is a Registered Body of Rajput Kashyap whose Members' houses have been demolished and torched and hence the Association is also directly interested and affected in the welfare of its Members. Petitioner No.170 is the Haryana Kashyap Rajput Sabha, which is also a registered body and looks after the interest of Kashyap Community of Haryana. The members of Kashyap community are also the member of Haryana Kashyap Rajput Sabha and Pardeep Singh Kashyap has been authorised to file the petition. The

resolution passed by Residents Welfare Association, Jharsa and Haryana Kashyap Rajput Sabha are attached herewith. A survey was conducted by the officials of HUDA, Gurgaon between 4.3.15 and 5.3.15 As per the List there are 205 families residing at village Fatehpur (Jharsa). The survey list also shows the number of family members of each family. Copy of the List of Residents of village Fatehpur (Jharsa), Sector 47, Gurgaon (HR) is attached as Ann.P-1. Majority are illiterate and are Farm labourers and are very very poor men.

2. That Fatehpur (Jharsa) is an old village of 100 years existence. Residents of the village fled because of English regime due to atrocities in 1857. Fatehpur, Bindapur and Adampur were soon declared be-Chirag after 1857. The forefathers of 205 persons came from Jharsa village and land was given to them and settled there and became Dholders for the Service rendered by them as held by the Award given by Additional District Judge on 25.5.2011 in LAC case No.359 of 2006. The finding on issue No.2 in LAC case No.359 of 2006 is reproduced below :-

"ISSUE NO.2.

14. Devender, SPA of petitioner Laxman Singh while appearing as PW1 has testified that petitioners have been coming in possession of the land in question situated within the revenue estate of village Faltehpur Jharsa, Tehsil and Distt. Gurgaon as Dholders since more than 100 years i.e. since the time of their ancestors. The land was given to the ancestors of the plaintiffs

on account of rendering services and maintenance of Johar/Village Pond. The petitioners had also filed a civil suit titled as Laxman Vs. Gram Panchayat which was dismissed vide order dated 18.9.2004 by the court of Smt.Rachna Gupta, the then Civil Judge, Gurgaon. However, the petitioners preferred an appeal against the said judgment and decree and the appeal was partly accepted vide judgment dated 19.10.2005, wherein it was held that petitioner has been coming in possession of the land in question since the time of their ancestors as Dholders and have constructed their residential houses thereon since more than 60 years. The land was given to the petitioners as Punarth. This witness has proved copies of judgments Ex.P1 and Ex.P2.

15. In judgment Ex.P2 passed in Civil Appeal No.64 of 2004, titled as Laxman Singh Vs. Gram Panchayat etc. by the court of Sh.Balbir Singh, the then ADJ, Gurgaon, the status of the plaintiff Laxman Singh herein petitioner has been considered as Dholders of the property qua the share of Duli, as mentioned in the revenue record.

16. In view of the aforesaid as well considering the judgment passed vide Ex.P2, Laxman Singh, petitioner is held entitled to receive the enhanced amount of compensation as Dholder of the property qua the share of Duli, as mentioned in the revenue record. This issue is decided accordingly."

That as per decision of State Government Dholdars have been conferred the right of ownership and therefore, Dholdars are the owners of the land and Gram Panchayat Jharsa).

IT is further submitted that it is the Fatehpur (Jharsa) where the petitioners are residing as Abadi Deh and Abadi Deh has been excluded from Shamlat land, therefore, it is not Shamlat Deh, so Gram Panchayat, Fatehpur (Jharsa) does not have any right over the land since, it is not Shamlat Deh and the petitioners being the Dholdars are owners of the land.

The village Fatehpur is inhabited by Kashyap Community which is Backward Class. 90 years old Jai Ram Kashyap and 82 years old Hukam Singh Kashyap born in village Fatehpur Jharsa and are still alive. Police carnage and illegal demolition on happened 12.4.2015. Both the senior citizen and senior most members of village, Fateypur Jharsa and are shocked at are under mental stress and tension.

100 years Old village Fatehpur Jharsa is the only green lung with old green trees standing in old village Abadi area while on all four sides of village Fateypur Jharsa Multi-storey buildings are standing and in case of illegal acquisition, it will badly affect the environment of the area. In case a Judicial Enquiry by some Senior sitting Distt. & Session Judge is sent for Local Imputation of the demolition of the very old village Abadi, Green lungs and existing old temples (Shiv Temple and Sherni Temple) and old Johar and old Houses and their debri will send volumes of high handedness of HUDA Deptt., Gurgaon and the nexus of big Builders, bureaucrats, Politicians and high Police Officers. It is a

land scam of more than 500 crore and all is managed by land Jharks like Uniworld Garden-II and Unitech in nexus with blgwigs of Haryana and only Judicial Enquiry can expose this land scam of demolition of 100 years old village Fatehpur Jhasra.

In the year 2011, an attempt of demolition was made by HUDA Deptt. but with the help of petitioner no.168, our 100 year old village was saved from demolition. He played a vital role as Ex.Sarpanch, Advocate and spokes person of Haryana Pardesh Congress Committee. In 2008 village Jhasra, Fatehpur Jhasra merged in Municipal Corporation, Gurgaon and now they are under M.C.Gurgaon

3. That there was a joint Panchayat of 4 villages namely Jhasra, Fatehpur (Jhasra), Bindapur (Jhasra) and Adampur (Jhasra) before 2008, they used to be only one joint Panchayat of which petitioner no.168 remained Sarpanch from 1983 to 2000. Elections were held in 1983, 1988, 1991 and 1996 till 2000 and every time, the petitioner no.168 was elected Sarpanch of the village. He, therefore, being a resident of Jhasra is deeply interested as old Sarpanch of the Gram Panchayat of the 4 villages and hence he has joined in the array of the petitioners. Petitioner no.168 is an advocate and spokes person of Haryana Pardesh Congress Committee.

4. That the State of Haryana through Special Secretary to Govt. of Haryana, Urban Estate Department issued a notification under Section 4 of the Land Acquisition Act dated 12.8.2003 intending to acquire the land for a public purpose - for development and utilization of

land for residential and commercial, Sector 47, Gurgaon Interalia village Fatehpur (Jharsa) Had Bust No.89, Tehsil and Distt. Gurgaon. A copy of the notification issued under Section 4 of the Land Acquisition Act is attached as Ann.P-2.

5. That the residents of village filed objections under Section 5A of the Land Acquisition Act and the Land Acquisition Collector made a recommendation to the State Govt. that pucca houses and building constructed prior to Section 4 notification are standing on the land under acquisition and that may be not acquired.

6. That thereafter State Govt. vide notification dated 10<sup>th</sup> of August, 2004 issued notification under Section 6 of the Land Acquisition act made a declaration interalia acquiring the land of village Fatehpur (Jharsa) for development and Utilization of land for residential and commercial Sector 47, Gurgaon. Copy of the notification dated 10<sup>th</sup> of August, 2004 is attached as Ann.P-3. The land of the petitioners was acquired in spite of the fact that Pucca houses were standing on the acquired land and 205 families were residing in the 100 years old village.

7. That notice was issued under Section 9(2) of the Land Acquisition act and the land owners submitted their objections under Section 9(2) of the Land Acquisition Act. Copy of the objections filed under Section 9(2) of the Land Acquisition Act is attached as Ann.P-4.

8. That the Land Acquisition Collector made and announced the Award on 7.12.2005 awarding the compensation of land measuring 35.51 acres of land including 13 acres of the 205 families where they have constructed their houses and resided therein. In the Award dated 7.12.2005, it is mentioned that the possession of the land has been taken over through this Award after offering amount of compensation of land vide Report no.182 dated 7.12.2005 which is entered in Rojnamcha Vakayati of Patwari halqa Wazirabad while the Halqa Patwari of village Jharsa is separate Halqa Patwari. It is, therefore, respectfully submitted that symbolic possession by Patwari halqa vide rapat no.182 dated 7.12.2005 has been shown to have been taken. This was only a symbolic possession. Propossession of land could be taken by HUDA where the award has been announced. It is only a paper entry. The petitioners were neither dispossessed nor actual physical possession was taken from them. Copy of the Award is attached as Ann.P-5.

9. That some of the residents have filed application under Section 18 of Land Acquisition Act for enhancement of compensation and Gram Panchayat pressed for apportionment of Compensation where the compensation was enhanced to Rs.660.00 per sq.yards. Execution was filed by them and it has come on record that the amount of compensation of other land has been deposited in the LAC Account. No amount of compensation as envisaged by the various judgments of the Hon'ble Supreme Court has been paid to other residents or deposited in the court. Thus amount of compensation has not been paid nor received nor deposited in the court.

The petitioners submit that out of 205 residents, under deceitful means only a few have received the compensation but they have continued to reside in their houses in the village till 12.4.2015.

10. That The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Re-settlement Act, 2013 was brought on Statute Book and it was notified on 1st of Jan.,2014 (hereinafter called the new Act). The relevant provisions of Section 24 of the Land Acquisition are reproduced below for facility of reference:-

"24. (1) Notwithstanding anything contained in this Act, in any case of land acquisition proceedings initiated under the Land Acquisition Act, 1894:-

- (a) Where no award under section 11 of the said Land Acquisition Act has been made, then, all provisions of this Act relating to the determination of compensation shall apply; or  
Where an award under said section 11 has been
- (b) made, then such proceedings shall continue under the provisions of the said Land Acquisition Act, as if the said Act has not been repealed.

(2) Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894, where an award under the

said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid, the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

Provided that where an award has been made and compensation in respect of a majority of land holdings has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act."

As per Sub-section 2, the Acquisition shall be deemed to have lapsed. In the present case because the Award had been made on 7.12.2005 and physical possession of land has not been taken from the petitioners. It is correct that compensation to ten persons which have been mentioned in the preceding paragraphs have been paid but they continued to remain in physical possession of the houses till 12th of April, 2015 and therefore, the acquisition of land under Section 24 of the new Act shall be deemed to have lapsed. It may be submitted that Laxman (deceased) through his L.Rs. and his sons etc. (numbering-only

4) have received the compensation as stated above under deceitful means.

11. That the petitioners have been making efforts to have the land released but nothing concrete came out of the efforts. However, the LAO filled up the proforma and sent to the Govt. giving of various details like filing of 5A objections, existence of houses before Section 4 notification, his recommendation by the release of houses by HUDA/Govt. Copy of the proforma is attached as **Ann.P-18A**. In the year 2011, an attempt was made by HUDA Deptt. for demolition of the homes but the efforts of petitioner No.168 and petitioners representation of the petitioners, an assurance was given that no demolition shall take place in future and petitioners shall continue to remain and reside in their houses. Petitioner No.168 being Ex.Sarpanch of this village and being spokes person of Haryana Pardesh Congress Committee alongwith villagers of Fateypur Jharsa raised this issue and the then Govt.left the village.

12. That residential area spread over 13 acres of land with houses all-around with little cultivation here and there is pictorially represented by a photograph attached as **Ann.P-6**. The 13 acres is mentioned belongs Khewat No., Kila no./Khasra no.6/3/2, 4, 6, 7, 8, 14, 16/2, 17/1, 17/2, 18/1, 19/1, 24, 26, Rect.No.3, Kila no.26, Rect.no.6, Kila no.3/1, 3, Kila no.7, Rect.No.5, Kila no.20/1 (3-11).

13. That existence of some of the houses and the residents are depicted by the photographs which are attached as **Ann.P-7 to P-18**.

14. That suddenly a undated Notice was pasted at various places in the village Fatehpur (Jharsa0 and also distributed amongst the residents of the village at 6 PM on 11.4.2015 to the effect that illegal possession of the land which belongs to HUDA Department and therefore, you are requested to vacate the land within 24 hours, otherwise HUDA Deptt. will forcibly remove you from the land and the houses encroached upon. The copy of the notice pasted and distributed in the village is attached as Ann. P-19.

15. That before the expiry of the 24 hours, at 8.00 AM on 12.4.2015 large Police Force - hundreds in numbers including lady police, HUDA Deptt. employees, bouncers by the two builders namely Unitech (P) Ltd. and Uniworld Gaden-II surrounded the village, ladies and youngsters of village were caught, abused and were taken into illegal custody and they were taken away at unknown places upto 4 PM. Police force came from Narnaul, Sonapat, Ballabhgarh and Faridabad as known from reliable sources. The Police and HUDA Deptt. deployed 6 JCBs, 4 Tractor Trolleys and 2 Fire Brigade vehicles on the spot for the mission of demolition. 205 pucca houses with domestic articles were completely demolished. Bouncers were let loose. The Houses were destroyed completely and turned into plain land and residents were made scape goats and homeless. It may be submitted that the residents of the village belong to BPL families. They belong to Kashyap caste which is a backward class. Local Police and HUDA employees of Gurgaon, committed atrocities on women, children, elderly men and youngsters.

Live stock-buffalos & cows beaten and driven out of the village. They caused loss of more than 205 crores by destroying the pucca houses of Fatehpur (Jharsa), household goods and live-stock. Essential services like water, electricity and public health amenities were stopped and they threatened the villagers to vacate the village and otherwise they would be caught and involved in false cases. Human Right, Children Right and Women Right were violated completely. Fatehpur (Jharsa) village is spread over 13 acres of land. Multi storey flats of the builders and capitalists like Uniworld Garden-II and Unitech (P) Ltd. are built on the side of the village. Big builders like Uniworld Garden-II and Unitech (P) Ltd. have hatched a criminal conspiracy with HUDA Department, Sr. Leaders of BJP etc. to grab the land of prime importance. It may be submitted that small village of 100 years Old existence was razed to the ground. Money has gone from big hands to Police deptt. and also to HUDA. Sh. Vijay Kumar was the SHO, Sadar, Gurgaon and Ms. Anita Yadav was the Administrator of HUDA, Estate Officer-II, HUDA, Tarun Kumar Paweria, Gurgaon at the relevant time. The household articles and jewellery were forcibly taken over by the HUDA Deptt. Electricity and Water meter were illegally disconnected. The HUDA employees have also taken electric and water meters, jewellery and costly articles with them. The villages have never witnessed such a shameless scene. Democracy was murdered. The residents were forced to live in the open. The village was earlier a part of 4 village namely Jharsa, Fatehpur (Jharsa), Bindapur (Jharsa) and Adampur (Jharsa) which constituted one Panchayat. House tax receipts, electricity bills are

there. Voter Identity cards and Ration Cards of the residents have been made many years ago. The villagers are living in the open on the debris of their houses. The petitioners are annexing the photographs showing the demolished houses, debris of the houses, house hold articles, etc. from Ann.P-20 to P-46. Sh.Harish Kumar Ex-patwari in L.A.O. office and now in the office of HUDA shown in Ann. P-45 was present also to supervise the demolition process.

16. That the petitioners on demolition of their houses sent their representation to 17 Authorities concerned on 13.4.2015 namely - S.H.O., Sadar, Gurgaon, Deputy Commissioner, Gurgaon, Police Commissioner, Gurgaon, Commissioner, Municipal Corporation, Gurgaon, Director General of Police, Haryana, Panchkula, Chief Minister, Haryana Government, Chandigarh, His Excellency, The Governor of Haryana State, Chandigarh, Hon'ble Prime Minister, Govt. of India, New Delhi, His Excellency, The President of India, New Delhi, Chairman, Human Right Commission, Govt. of India, New Delhi; Chairman, Women Commission, Govt. of India, New Delhi; Chairman, Minor Children Commission, Govt. of India, New Delhi; Chairman, Women Commission, Haryana, Panchkula; Human Right Commission, Chandigarh; Chairman, Lokayukta, Haryana, Chandigarh; Hon'ble the Chief Justice, Punjab and Haryana High Court, Chandigarh; Hon'ble the Chief Justice, Hon'ble Supreme Court of India, New Delhi by Registered post. Copy of one representation is attached as Ann.P-47.

17. That the National Press also noticed the woes and suffering of 205 residents of village Fatehpur (Jharsa). The news item alongwith photograph of demolished houses appeared in 'The Hindu' English Daily dated 13.4.2015. Copy of the News Item appearing in 'The Hindu' on 13.4.2015 is attached as **Ann.P-48**.

18. That the petitioners also sent a representation to the President, National Human Right Commission, Human Right Bhawan, Block-C, New Delhi by Registered Post detailing out their woes, suffering and as to how the Police in connivance with HUDA and big builders like Unitech (P) Ltd. and Uniworld Garden-II had played with their lives, property and demolished the entire village. It is indeed very sad treatment meted out to the permanent residents of village Fatehpur (Jharsa). Copy of the representation sent to National Human Right Commission dated 15.4.2015 is attached as **Ann.P-49**.

19. That HUDA has taken the villagers to be the encroachers and not entitled to stay in their houses where their fore-fathers and thereafter the petitioners have been staying in the village for nearly 100 years.

In LAC case no.359 of 2006 decided on 25.5.2011 titled as Laxman Singh son of Chuni Lal Vs. Land Acquisition Collector, the plea of the Gram Panchayat/Municipal Corporation, Gurgaon was negated and like of the petitioners who have been the residents of the village alongwith petitioners etc. have not been held to be encroachers and the Gram Panchayat to be the owner, rather the petitioners have been held to

be the Dholders of the village. LAC has granted the compensation and so has the Court of Addl. Distt.Judge, In LAC case no.359 of 2006 enhanced the compensation. Part of the compensatlon has been paid to Laxman Singh etc. There has not been any apportlonment of compensation between the Gram Panchayat, Jharsa and Laxman Singh etc. thereby meaning that the entire compensation has been paid to Laxman Singh etc. It is respectfully submitted that they have not been held by any court of law to be the encroachers on the land.

20. That HUDA has considered the petitioners to be the encroachers on the land. There is no evidence on the record which has been accepted by the petitioners and their fellow villagers that they are encroachers on the land. Their pucca houses have been existing for over 60 years and for very long time much much before the date of Section 4 Notification. In order to give benefit the builders like Unitech (P) Ltd. and Uniworld Garden-II completely in connivance with SHO, employees of HUDA, bouncers employed by the builders have razed the houses of the petitioners to the ground. A CBI inquiry is requested to be ordered to exactly find out as to what was the status of the land said to be acquired by HUDA and the high handedness in violation of basic human rights or a Judicial Enquiry is requested by some sitting Senior Judicial Officer.

21. That notice was given at 6.00 PM on 11.4.2015 and 6 JCBs, 4 tractor trolleys and 2 Fire Brigades vehicles, hundreds of Policemen, employees of HUDA and large number of bouncers were employed/sent

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- 35 -

by builders pounced upon the village at 8 AM on 12.4.2015. Not even 24 hours as stated in the notice was given. The villagers were detained, taken away, live-stock was driven out. Petitioners were threatened, women folk, children and old people were beaten, maltreated and the live-stock was driven out of the village. This all requires a CBI inquiry because this has been done by the Police and HUDA in connivance with the builders.

It appears that the land has been given/would be given to the builders for raising their big buildings to earn big profits being prime land in Sector 47, Gurgaon.

21A. That it has come to the knowledge of the petitioners that the Administrator, HUDA, Gurgaon vide memo No.STP(H)2011/2536 dated 21.2.2012 addressed a letter to the Chief Administrator, HUDA (Town Planning Wing) Panchkula wherein he has stated that the land under Khasra No.6/3/2, 4 have been planned for 2 GH site but it is still lying unacquired as per LAO record, Gurgaon. It is also mentioned that the details of construction presently existing at site are shown in the copy of site sketch plan. By this letter it is clear Khasra No.6/3/2, 4 has not been acquired and construction of houses is there existing on the site as per the site sketch plan.

It is submitted that houses of Bheem s/o Moji, Sant Ram s/o Soji, Satbeer S/o Soji, Mahender s/o Soji, houses of 4 sons of Giani, houses of 4 sons of Amar Singh and two daughters of Amar Singh, houses of 2 sons of Mange Ram and also 2 daughters of Mange Ram and houses of 3 sons of Chander were existing in Khasra No.6/3/2 and 4 measuring 3

kanals 15 marlas. Even though the land has not been acquired vide notification Ann.P-2 and P-3 and no Award has been given, houses of 21 persons existing on the unacquired land were also demolished on 12.4.2015 alongwith other houses in the village Fatehpur (Jharsa) and debri of these 21 houses have been removed unauthorized leaving the residents under the open sky on the land without any authority of law on 12.4.2015 and 15.5.2015. There is no justification for the draconian act depriving the owners of the houses and leaving them homeless under the open sky. 21 persons whose houses have been demolished and razed to the ground on 12.4.2015 and malba removed on 15.5.2015 leaving them homeless under the open sky are also the petitioners in this petition before this Hon'ble Court. The hue and cry raised by the 21 residents occupying those 21 houses over land comprised in Khasra no.6/3/2, 4 went unheard and of no avail.

22. That the National Human Rights Commission (Law Division) vide letter dated 12.5.2015 asked the Chief Secretary, Govt. of Haryana, Chandigarh for Action Taken Report, copy of the letter dated 12.5.2015 which has been received by 14.5.2015 is attached as Annexure P-50. The National Human Right Commission also asked Director General of Police, Haryana, Police Headquarter, Sector 6, Panchkula about the Action Taken Report on the complaint filed by Pardeep Kashyap and others, which has been received by 14<sup>th</sup> May, 2015 is attached as Annexure P-51.

23. That without caring that the matter is pending before National Human Right Commission, respondents proceeded to commit atrocities, harassment and violated all basic human rights on 15<sup>th</sup> of May, 2015. There were about 750-800 persons living on the debris of houses in the village Fatehpur (Jharsa) on 15.5.2015. There were about 60 children of the age of 11-12 years, 30-40 old people of the age of 70 years plus. There were 300 women and 350 men. There were about 6-7 pregnant ladies amongst the residents on 15.5.2015. JCBs, Trucks, Policemen in large number and gangsters employed by builders in connivance with the Police, employees of HUDA bounced upon the village Fatehpur Jharsa in the morning to remove the debris and clear all traces of human habitation. This was done in a very sinister manner. The children lost their parents and they were loitering for food. Electricity and water was snapped. There were no facilities available. Cattle were driven out. 30-35 people were taken to Police custody. Young people were beaten by the Police. The dispensary/hospital was encircled by the Police. People had gone to register the report about missing people. No report was registered. Rather the person who have gone to register the report about missing people etc. were arrested. No arrangement was made at all for alternative habitation. Case against 150 people was registered. Lathies, tear gas shells, firing in the air, was resorted to. One 3-wheeler and 3 shops with house attached each belonging to Sundeep s/o Raghbir, Rajender s/o Ganga Ram, Sanjay s/o Rattan Lal were torched. 300-400 trees also came for annihilation. 60 trees of 50-70 years of age were amongst 300-400 trees. There was total

bedlam. One Raj Pal, musalman/bouncer of Uniworld Garden-II was in the fore-front. He called the bouncers and was the incharge and in the forefront of entire episode. Wherever there was little resistance the property was put on fire by the Police. JCBs were employed to push the household goods including the gas cylinders into the pond and also in the manhole for disposal of excreta. Raj Pal put a number of houses on fire. Some of the gas cylinder was burst and fire broke out. 9-10 women were also taken into custody and sent to Bhondsi Jail. 20-25 persons were also taken into custody and sent to Bhondsi Jail. The Police Registered FIR under Section 146, 148, 149, 114, 332, 352, 353, 307, 427 and 435 IPC and also under Section 3 of Explosive Act, 1908 against Khazan Singh, Advocate, Pardeep Jaidar (injured condition), Nisha Singh, counsellor of M.C.,Gurgaon. Mohan Singh Pappu (Tunda), Pardeep Kashyap, Krishan Pal, Dr.Kawar Lal, Mahender Singh, Ram Kumar and 150-200 other people. The trouble started with the arrival of JCBs, trucks, Police force, employees of HUDA and bouncers. All these equipments again were employed to remove forcibly debris and residents were bitten, threshed, the entire blame has been put by the Police and the Administration on the poor villagers but they were on the receiving side. The photographs taken on 15.5.2015 on the spot showing the presence of Police, JCBs, destruction and fire, use of water cannon etc. are attached as Ann.P-52 to 58. Shiv Mandir, Shani Mandir and Khera with 200 years old Pipal tree are on the hit list of the respondents.

24. That the petitioners sent a representation again by way of registered post to all the 17 authorities which are mentioned in para 16 of the Writ Petition about the happening and the sequence of event that happened on 15.5.2015. There was a complete bedlam, atrocities and violation of human right have been committed by the Police, employees of HUDA and Bouncers employed by Builders etc.

25. That the following question of law arise for determination by this Hon'ble Court:-

- i) Whether in view of Section 24(2) of the 2013 Act, the acquisition shall be deemed to have lapsed and hence any action taken after 7.12.2010 shall be deemed to be illegal since the petitioners have become free from the land acquisition proceedings?
- ii) Whether the hundred years old village can be razed to the ground without providing alternative accommodation to the residents of the village?
- iii) Whether the facts and the circumstances of the case are sufficient to call for CBI inquiry about the connivance of Police, HUDA and builders – Unitech (P) Ltd. and Uniworld Garden-II or Judicial Enquiry by some senior Hon'ble Judge?
- iv) Whether the petitioners are entitled for rehabilitation on the facts and circumstances of the case?
- v) Whether the petitioners are entitled for restoration of

drinking water supply and Electricity supply further with medicines etc.

- vi) Whether the petitioners being the descendants or the occupiers of Dholdars are encroachers on the land of village Fatehpur (Jharsa)?
- vii) Whether the Abadi Deh of village Fatehpur Jharsa can be said to be Shamlat Deh as per the definition in the Village Common Land (Development and Regulation) Act?
- viii) Whether notification under Section 4 Annexure P-2 dated 12.8.2003 and Annexure P-3 dated 10.8.2004 under Section 4 of the Land Acquisition Act 1894 are liable to be quashed on the pleas taken in the writ petition and also on the facts and circumstances of the case?

26. That the petitioners are living on the debris of the houses razed to the ground since after 12.4.2015. The police is threatening to take them away forcibly and leaving them in jungle and also frame false cases against them pressurizing them to vacate the village debris.

27. That the petitioners have not filed any such petition in this Hon'ble Court or in the Hon'ble Supreme Court of India earlier in this matter.

28. That the petitioners have made representation to all higher Authorities but there has not been any result. There is no remedy of appeal or revision and there is no other alternative remedy except filing

the petition under Article 226 of the Constitution of India. No appeal or revision is otherwise pending in this matter.

**PRAYER**

It is, therefore, respectfully prayed that –

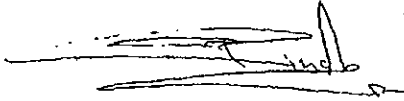
- i) Notice of motion may kindly be issued and record may kindly be summoned;
- (ii) to issue a writ in the nature of certiorari quashing notification issued under Section 4 dated 12.8.2003, Annexure P-2 and also notification issued under Section 6 dated 10.8.2004 Annexure P-3 under the Land Acquisition Act, 2013;
- (iii) a declaration that acquisition proceedings shall be deemed to have lapsed under Section 24(2) of the Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and Resettlement Act of 2013, be made by this Hon'ble Court;
- iv) to issue a writ of mandamus for a direction to conduct CBI inquiry as to how the 100 years old village Fateypur Jiarsa consisting of 205 houses have been razed to the ground on 12.4.2015 between 8 AM to 4 PM in connivance with SHO, Sadar, Gurgaon, Estate Officer-II, HUDA, Gurgaon, Unitech (P) Ltd. and Uniworld Garden-II.
- v) for a direction to rehabilitate 205 families whose pueca houses have been demolished ;

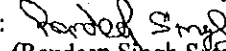
- vi) for payment of compensation of 205 cores to the 205 families whose houses were demolished illegally;
- vii) to register cases against Estate Officer-II, HUDA, SHO Sadar, Gurgaon, Unitech Pvt.Ltd. and Uniworld Garden-II.
- viii) to hold inquiry that the record of Estate Officer-II, HUDA Gurgaon has been prepared falsely to take forcibly possession from the petitioners and also regarding payment of compensation on having been deposited.
- ix) a writ of prohibition may also be issued prohibiting HUDA and Police Deptt. to remove the petitioners from the site of debris in 100 years old village Fatehpur (Jharsa) where their houses were existing till the rehabilitation of 205 families by HUDA in their village Fatehpur Jharsa.
- x) A writ of restoration of essential services like drinking water and electricity supply and shelter and food to the worst suffers.
- xi) Construction of road building and house building may be ordered to be stopped on 13 acre of land owned and possessed by the petitioner.
- xii) Any other writ, order or direction which this Hon'ble Court deems fit and proper in the circumstances of the case;
- xiii) prior notices on the respondent be dispensed with;
- xiv) exemption from filing the certified copy of Ann.P-1 to P-49 may kindly be granted

xv) Costs of petition may kindly be granted;

It is further prayed that the petitioners may be granted status quo regarding their stay on the land in village Fatehpur during the pendency of the writ petition in the interest of justice. No road and building may be made on the land of village Fatehpur (Jharsa).

CHANDIGARH  
DATED : 18.5.2015  
23.9.2015

  
PETITIONER  
(Pardeep Kashyap)  
Power of Attorney holder

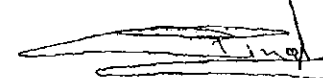
Through:   
Settled By (Randeep Singh Srinag),  
Advocate/P/972/2013  
(O.P.Goyal) Counsel for the petitioners  
Sr. Advocate.

**PARDEEP KASHYAP**

**VERIFICATION:-**

Verified that the contents of para No. 1 <sup>to 24 & 26 to 28</sup> are true and correct to our knowledge. The legal submissions <sup>in para 25</sup> are correct as per the advice received from the counsel. No part of it is false and nothing material has been hidden therefrom.

Verified at Chandigarh on 18<sup>th</sup> day of May, 2015.  
23<sup>rd</sup> day of Sep.

  
PETITIONER  
(Pardeep Kashyap)  
Power of Attorney holder

**PARDEEP KASHYAP**

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH

AMENDED CIVIL WRIT PETITION NO.10558 OF 2015

Bheem Singh Kashyap and others, through Pradeep Singh  
Kashyap, Power of Attorney Holder.

.....Petitioners

Versus

State of Haryana and others.

....Respondents.

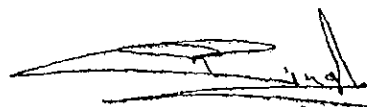
Affidavit of Shri Pardeep Singh Kashyap son  
of Shri Ram Chander Singh, ex-resident of  
Village Fatehpur (Jharsa), Sector 47, Gurgaon,  
but now residing nowhere.

I, the above named deponent, do hereby  
solemnly affirm and state as under:



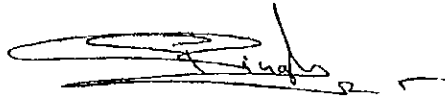
That the above noted amended writ petition has been  
drafted and filed on behalf and at the instances of petitioners.

That the contents of amended writ petition are true and  
correct to the knowledge of petitioners/deponent. He was present on the  
spot.

  
PRADEEP KASHYAP

3. That the certified copies of Ann.P-1 to P-58, which includes the photograph also are not readily available, hence true and correct copies have been annexed. Exemption from filing certified copies may kindly be granted. There is complete break down of Article 21 of the Constitution of India. The Welfare State has failed to keep the welfare of people of village Jharsa under consideration.

4. There there is connivance between HUDA, Police and two builders. Inquiry is therefore very essential by CBI or a senior Judicial Officer of the state to know the truth.

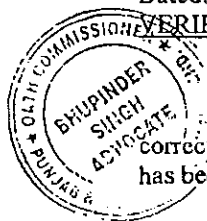


Place: Chandigarh

Deponent

Dated: 22-9-15

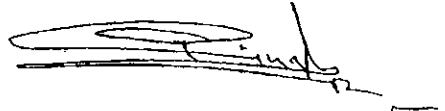
(PARDEEP KASHYAP)



VERIFICATION

Verified that the contents of my above affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

Verified at Chandigarh on



Deponent

I identified the deponent who has signed marked in the above affidavit  
Signature of Pardeep Kashyap

Certified that above statement made on Oath by S.A. Singh at Chandigarh by Pardeep Kashyap  
Residence: Fatehgarh Sahib  
Dated: 22/9/15  
Signature of Pardeep Kashyap  
Official Seal of Pardeep Kashyap, Advocate

(PARDEEP KASHYAP)

## ANNEXURE P-1

LIST OF RESIDENTS OF VILLAGE FATEHPUR (JHARSA) sector 47,  
GURGAON (HR) AS PER SURVEY CONDUCTED ON 04.03.2015 TO 05.03.2015  
BY SDE-II (SURVEY) HUDA, GURGAON.

Sr. No.	Name	Father's/Husband's Name	Total Family member
1.	Bheem Singh Kashyap	s/o Moji Ram Kashyap	4
2.	Raghbeer Kashyap	S/o Chandra Prakash Kashyap.	4
3.	Ram Rati Kashyap	W/o Sultan Kashyap.	2
4.	Babli Kashyap	W/o Ashok Kashyap.	4
5.	Sonu Kashyap.	s/o Sultan Kashyap	3
6.	Krishan Kashyap	s/o Mange Ram Kashyap.	5
7.	Rakesh Kashyap.	s/o Mange Ram Kashyap.	5
8.	Laxmi Devi Kashyap.	D/o Munge Ram Kashyap.	2
9.	Balwan Kashyap.	s/o Raghbir Kashyap.	4
10.	Krishan Kashyap.	s/o Balwan Kashyap.	5
11.	Tejpal Kashyap.	s/o Ganga Ram Kashyap.	5
12.	Prein Chand Kashyap.	s/o Ganga Ram Kashyap.	4
13.	Jagdish Kashyap.	s/o Raghbee Kashyap.	5
14.	Sandeep Kashyap.	s/o Rajendra Kashyap.	4
15.	Rajendra Kashyap.	s/o Ganga Ram Kashyap.	3
16.	Anil Kumar Kashyap.	s/o Sh.Ram Pal Kashyap.	3
17.	Sunil Kashyap.	s/o Sh.Ram Pal Kashyap.	2
18.	Ram Pat Kashyap.	s/o Gyani Ram Kashyap.	2
19.	Ram Pal Kashyap.	s/o Gyani Ram Kashyap.	4
20.	Pradeep Kashyap.	s/o Ram Pal Kashyap.	3
21.	Laxmi Devi Kashyap.	W/o Bal Kishan Kashyap.	3
22.	Satbeer Kash yap.	S/o Chandra Prakash Kashyap.	3
23.	Manoj Kashyap.	s/o Satbeer Kashyap.	4
24.	Rampal Kashyap.	S/o Gyani Ram Kashyap.	4

25.	Sant Ram Kashyap.	S/o Soji Ram Kashyap.	4
26.	Narsi Kashyap.	S/o Sant Ram Kashyap.	4
27.	Satbeer Kashyap.	S/o Soni Ram Kashyap.	6
28.	Devi Temple 1967	Panchayat 1967 Kashyap	
29.	Krishan Kashyap.	S/o Chandra Kashyap.	5
30.	Mahender Singh Kashyap.	S/o Soji Ram Kashyap.	6
31.	Ramesh Kashyap.	S/o Amar Singh Kashyap.	4
32.	Jitender Kashyap.	S/o Ramesh Kashyap.	3
33.	Sandcep Kashyap.	S/o Raghbeer Kashyap.	3
34.	Suraj Kashyap.	s/o Amar Singh Kashyap.	6
35.	Sunder Kashyap.	S/o Gyani Ram Kashyap.	3
36.	Virender Kashyap.	S/o Sunder Kashyap	2
37.	Amit Kashyap.	S/o Sunder Kashyap.	3
38.	Mohan Singh Kashyap.	S/o Amar Singh Kashyap.	3
39.	Rajesh Kashyap.	S/o Amar Singh Kashyap.	5
40.	Ratan Lal Kashyap.	s/o Ram Swroop Kashyap.	2
41.	Sunjay Kashyap.	S/o Ratan Lal Kashyap.	5
42.	Narender Kashyap.	S/o Chotu Ram Kashyap.	5
43.	Mahesh Kashyap.	s/o Hari Prasad Kashyap.	4
44.	Rohtash Kashyap.	S/o Mahesh Kashyap.	4
45.	Vikram Kashyap.	S/o Mahesh Kashyap.	2
46.	Naveen Kashyap.	S/o Santram Kashyap.	2
47.	Omi Prakash Kashyap.	S/o Mahender Kashyap Singh	2
48.	Mahesh Kashyap	S/o Udey Chand Kashyap.	6
49.	Ballu Kashyap.	Udey Chand Kashyap.	4
50.	Vinod Kashyap.	S/o Inder Singh Kashyap.	4
51.	Hukam Singh Kashyap.	S/o Thakeria Kashyap.	2
52.	Ratarn Singh Kashyap.	S/o Thakeria Kashyap	2
53.	Krishan Kashyap	s/o Ratan Singh Kashyap.	5

54.	Sonu Kश्यap.	S/o Ratan Singh Kश्यap.	5
55.	Surender Kumar Kश्यap.	S/o Ratan Singh Kश्यap	4
56.	Gajender Kश्यap.	S/o Ratan Singh Kश्यap.	3
57.	Prem Kumar Kश्यap.	S/o Ratan Singh Kश्यap.	3
58.	Daya Ram Kश्यap.	S/o Hukam Kश्यap Singh	4
59.	Ajay Kumar Kश्यap.	S/o Daya Ram Kश्यap.	4
60.	Karamveer Kश्यap.	S/o Hukam Singh Kश्यap.	5
61.	Manoj Kश्यap.	S/o Karamveer Kश्यap	2
62.	Cheenu Kश्यap.	S/o Daya Ram Kश्यap.	2
63.	Krishan Gopal Kश्यap.	S/o Ram Kishan Kश्यap	3
64.	Vikas Kश्यap	S/o Krishan Kश्यap Gopal	3
65.	Kailash Kश्यap.	S/o Krishan Gopal	2
66.	Tika Ram Kश्यap.	S/o Ganga Ram	3
67.	Asha Devi Kश्यap.	D/o Krishan Gopal	2
68.	Suresh Kश्यap.	S/o Ram Kishan	4
69.	Sonu Kश्यap.	S/o Suresh	5
70.	Krishan Kumar Kश्यap.	s/o Suresh	4
71.	Dharam Pal Kश्यap.	S/o Baljeet	5
72.	Mahavee Kश्यap	S/o Khajun Singh	2
73.	Rambeer Singh Kश्यap.	S/o Ram Ksihan	3
74.	Maha Singh Kश्यap.	S/o Amar Singh	3
75.	Nand Kishor Kश्यap	S/o Balbeer Singh	4
76.	Krishan Kश्यap	S/o Balbeer Singh	5
77.	Jyoti/Manju Kश्यap.	d/o Ram Pal	4
78.	Ashok Kumar Kश्यap.	S/o Narayan Singh	5
79.	Chand Kश्यap	S/o Narayan Singh	4
80.	Radhey Shyani	s/o Narayan Singh	3
81.	Sonu Kश्यap	S/o Narayan Singh	2
82.	Bhagwati Kश्यap.	W/o Banti	6

83.	Pappu Kashyap.	S/o Tare	5
84.	Dilbagh Singh Kashyap.	S/o Tare	5
85.	Sunny Kashyap.	S/o Dilbagh Singh	3
86.	Dayanand Kashyap	S/o Udey Chand	3
87.	Rakesh Kashyap	S/o Dayanand	3
88.	Kishan Pal Kashyap.	S/o Bhagwan Sahib	4
89.	Ashwani V	s/o Dr.Kanwar Pal	4
90.	Pradcep Kashyap.	S/o Ram Chander Singh	5
91.	Dharambeer Kashyap.	S/o Mamchand	2
92.	Sonu Kashyap	S/o Dharambeer	4
93.	Ashok Kumar Kashyap.	S/o Dharambeer	2
94.	Naveen Kashyap.	S/o Dharambeer	2
95.	Vijay Kashyap.	S/o Mamchand	6
96.	Rajbeer Kashyap	S/o mamchand	5
97.	Satbeer Kashyap	S/o Tek Chand	2
98.	Beer Singh Kashyap.	S/o Satbeer	6
99.	Balram Kashyap.	S/o Satbeer	4
100.	Narender Kashyap.	s/o Satbeer	5
101	Vikaram Kashyap.	S/o Satbeer	4
102.	Sukhbeer Kashyap.	s/o Tek chand	5
103.	Charan Singh Kashyap.	S/o Tek Chand	4
104.	Rajender Rajender	S/o Tek Chand	5
105.	Cuptan Singh Kashyap.	S/o Tekchand	8
106.	Hawa Singh Kashyap	S/o Tekchand	7
107.	Jagbir Kashyap	s/o Dulichand	6
108	Jai Prakash Kashyap	s/o Ram pat	5
109.	Bijender Kashyap	S/o Ram Pat	4
110.	Jai Bhagwan Kashyap	S/o Ram Pat	4
111.	Shyamoo Devi Kashyap	w/o Ram Pal	4

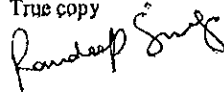
112.	Mohan Singh Kashyap	S/o Ram Pal	6
113.	Navraj Singh Kashyap	s/o Ram Pal	3
114.	Anil Kashyap	s/o Bagru	4
115.	Chand Kashyap	s/o Bagru	4
116.	Dharmender Kashyap	s/o Bagru	4
117.	Ram Kumar Kashyap	s/o Teja	2
118.	Ram Niwas Kashyap	S/o Ram Kumar	5
119.	Ravi Kashyap	s/o Ram Niwas	2
120.	Dinesh Kashyap	S/o Ram Kumar	3
121.	Rajesh Kashyap	s/o Ram Kumar	4
122.	Ramesh Kashyap	S/o Teja	3
123.	Satish Kashyap	S/o Ramesh	4
124.	Kamal Kashyap	s/o Ramesh	2
125.	Rajbeer Kashyap	s/o Chander Prakash	4
126.	Anand Kashyap	S/o Rajbeer	2
127.	Ravi Kumar Kashyap	S/o Rajbeer	2
128.	Rambeer	S/o Om Parkash	4
129.	Narender Kashyap	S/o Lacha Ram	3
130.	Mahender Kashyap	s/o Lachi ram	3
131.	Arun Kumar Kashyap	s/o Mahender	2
132.	Baljeet Kashyap	S/o Sadhu Ram	3
133.	Om Prakash Kashyap	S/o Lachi Ram	2
134.	Sonu Kashyap	s/o Om Praksh	2
135.	Sahib Singh Kashyap	s/o Magat Ram	2
136.	Usha Devi Kashyap	W/o Hawa Singh	6
137.	Bijender Kashyap	S/o Sahib Singh	4
138.	Sandeep Kashyap	S/o Sher Singh	4
139.	Omvati	W/o Azad Singh	2
140.	Daya Krishan Kashyap	S/o Azad Singh	5

141.	Baljeet Kashyap	s/o Azad Singh	3
142.	Dharam Pal Kashyap	S/o Ram Singh	3
143.	Yogesh Kashyap	s/o Dharam Pal	3
144.	Jatin Kashyap	S/o Dharam Pal	3
145.	Vijay Kashyap	s/o Phool Singh	4
146.	Jagdish Kashyap	S/o Sheesh Ram	3
147.	Dinesh Kashyap	s/o Daya Ram	5
148.	Samay Singh	s/o Munshi Ram	5
149.	Vijay Kumar S/o	s/o Munshi Ram	5
150.	Jagbir Kashyap	s/o Munshi Ram	4
151.	Ramvati Kashyap	W/o Bagru	2
152.	Sukhbeer Singh Kashyap	s/o Attar Singh	3
153.	Atlar Singh Kashyap	s/o Lachi Ram	3
154.	Bittu Kashyap	s/o Phool Singh	5
155.	Satish Kumar Kashyap	S/o Lachi Ram	6
156.	Rahul Kashyap	s/o Narender Kumar	2
157.	Phool Singh Kashyap	s/o Lachi Ram	2
158.	Monu Kashyap	S/o Attar Singh	2
159.	Pataso Devi Kashyap	W/o Lachi Ram	2
160.	Suraj Kashyap	S/o Bharat Singh	4
161.	Babu Lal Kashyap	S/o Ram Kala.	6
162.	Manjeet Kashyap	S/o Azad Singh	3
163.	Geeta Devi.	S/o Ramphal	4
164.	Budhram Kashyap	S/o Leelu Ram	4
165.	Devinder Kashyap	S/o Laxman Singh	6
166.	Ramesh Kumar Kashyap	s/o Laxman Singh	4
167.	Ranbeer Kashyap	S/o Balbeer Singh	4
168.	Surender Kashyap	S/o Laxman	5
169.	Kuldeep Kashyap	S/o bal Kishan	4

170.	Sonu Kasyap	S/o Raju	4
171.	Phoolvati	w/o Laxman Singh	3
172.	Parveen Kasyap	S/o Raju	3
173.	Suraj Bhan Kasyap	s/o Laxman	3
174.	Raju Kasyap	S/o Tale Ram	2
175.	Puran Mal Kasyap	S/o Madan Lal	4
176.	Brij Gopal Kasyap	S/o Madan lal	6
177.	Ramesh Kasyap	s/o Moti Rani	4
178.	Mahaveer Singh Kasyap	S/o Munshi Ram	5
179.	Mahupal Kasyap	s/o Munshi Ram	5
180.	Munshi Ram Kasyap	S/o Chandgi Ram	3
181.	Satbeer Kasyap	S/o Deepchand	6
182.	Vinod Kumar Kasyap	S/o Suraj Bhan	3
183.	Sushil Kumar Kasyap	S/o Suraj Bhan	2
184.	Vakeel Kumar Kasyap	S/o Suraj Bhan	2
185.	Kela Devi Kasyap	W/o Puppon	4
186.	Geeta Devi Kasyap	d/o Shree Chand	3
187.	Beero Kasyap	D/o Modi Ram	4
188.	Bittu Kasyap	S/o Kishan Lal	3
189.	Rani Kasyap	W/o Dhola	5
190.	Jagga Kasyap	S/o Chattar Singh	2
191.	Sunil Kasyap	S/o Dilbagh Singh	2
192.	Dharmnder Kasyap	S/o Dhanesh Chand	5
193.	Vicky Kasyap	S/o Kishan Lal	3
194.	Dilip Kasyap	S/o Mangal Ram	5
195.	Rajender Kasyap	Jagge Ram Kasyap	7
196.	Karan Singh Kasyap	s/o Madu	5
197.	Dharambeer Kasyap	S/o Raje Kasyap	4
198.	Monu Kasyap	Raje Kasyap	4

199.	Anand Pal Kashyap	s/o Kishan Pal Kashyap	4
200.	Jitender Singh Kashyap	S/o Ramchander Singh Kashyap	3
201.	Lok Ram Kashyap	S/o Jagannath.	3
202.	Shiv Charan Kashyap	s/o Ram Kala.	
203.	Ashok Kashyap	s/o Karan Singh	4
204.	Kallu	s/o Ram Kala	
205.	Subhash Kashyap	s/o Ghunnay	

True copy



Advocate.

Seal

HARYANA GOVERNMENT GAZETTE

EXTRA ORDINARY

Published by Authority

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CHANDIGARH, AUGUST 12, 2003 (SRVNA 21, 1925 SAKA)

HARYANA GOVERNMENT

URBAN ESTATES DEPARTMENT

Notification

12<sup>TH</sup> August, 2003.

No. LAC(G)-NTLA/2003/921.- Whereas , it appears to the Governor of Haryana that the land described in the specification below is required for the public purpose, namely for development and utilization of land for Residential and Commercial, Sector 47, Gurgaon as shown in the development plan under the Haryana Urban Development Authority Act, 1977 by the Haryana Urban Development Authority in the area of village Jharsa, Hadbast No.94, village Tikri, H.B.No.98, village Islampur, H.B.No.97, village Faehpur, H.B.No.89, Tehsil and District, Gurgaon.

And, whereas, in pursuance of the provisions of Section 14 of the said Act, the Governor of Haryana is satisfied that the said land is required for the aforesaid purpose, it is hereby notified that the land described in the specification below is likely to be required for the aforesaid purpose and the Land Acquisition Collector, Urban Estates, Haryana, Sector 14, Gurgaon shall cause public notice of the substance of the notification to be given at convenient places in the locality.

This notification is made under the provisions of section 4 of the Land acquisition Act, 1894 for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorizes the officers with their servants and workmen, for the time being engaged in the undertaking, to enter upon and survey the land in the locality and to do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of land in the locality, may, within a period of thirty days of the publication of this notification in the Official Gazette file an objection, if any, in writing before the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon.

The plans of the land may be inspected in the office of the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon

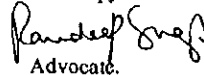
District	Tahsil	Village/ Locality and H.B.No.	Area in acres	Rectangle/Killa Nos./Khasra No.	
1	2	3	4	5	
Gurgaon	Gurgaon	Jharsa H.B.No.94	17.10 acres.	121	7/1, 7/2, 14, 16/1, 16/2, 16/3, 17, 24, 25, 25/1, 25/2.
				124	6
				125	7, 8/1/1, 8/1/2, 8/1/2, 8/2/2, 9, 10, 12, 13, 14.
				126	4,5,6, 7/1, 7/2, 8/1, 8/1 min and Khasra No. 165 min, 198.
Gurgaon	Gurgaon	Tikri H.B.No.98	22,23 acres	11	4, 5, 6
				12	24, 25/1, 25/2
				13	10, 11/1, 11/2, 12, 18/2, 19/2, 23, 24, 25/1, 25/2.
				18,	13, 21 and Khasra no.19 min, 20 min, 22.
Gurgaon	Gurgaon	Islampur H.B.No.97	5.09 acres		380, 618, 619, 620, 621, 622, 626, 627, 629.

Gurgaon	Gurgaon	Fatehpur H.B.No.89	75, 39 acres.	I	15, 16, 25.
				2	11, 16, 17, 18/1, 18/2, 19, 20, 21, 22/1/1, 22/1/2, 22/2, 23, 24, 25.
				3	1, 4/2, 7, 10/2, 11, 12, 14/1, 14/2, 14/3, 17/1, 17/2, 18min, 19min, 20mm, 24/1, 24/2, 24/3, 26, 27.
				4	5, 6, 15, 21
				5	16, 17/1, 20/1, 23, 24, 25/1, 25/2.
				6	6, 7, 8, 14, 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20, 21, 22/1, 22/2, 23/1, 23/2, 24, 25, 26.
				7	5, 6.
				8	1/1, 1/2, 2, 3, 4, 5/1, 6, 8/1, 9/1, 10/1, 10/2, 15/1.
				9.	4/2, 5, 6, 7/1, 8, 9/2, 10, 11/1, 12, 13/1, 26.
				10	25/2.
				11	1, 2, 3, 4/1, 4/2, 8, 9, 10.
				13	2/2, 3/1, 3/2, 4, 5/1, 5/2, 6/1, 6/2, 7/1, 7/2, 8, 9/1, 13/1, 13/2, 14/1, 14/2/1, 14/2/2.
				14.	4/2, 5, 6, 15, 22/1, 22/2 and Khasra no.22 min, 23 min, 24 min, 25, 26, 30.

Sd/-

Special Secretary to Government Haryana,  
Urban Estates Department.

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Advocate.

ANNEXURE P-3

Regd.No.PB/0176/2003-2005

Seal

HARYANA GOVERNMENT GAZETTE

EXTRA ORDINARY

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CHANDIGARH, TUESDAY AUGUST 10, 2004 (SRAVANA 18, 1926 SAKA)

HARYANA GOVERNMENT  
URBAN ESTATES DEPARTMENT

Notification

10<sup>th</sup> August, 2004.

No. LAC(G)-NTLA/2004/1077.- Whereas , it appears to the Governor of Haryana that the land specified below is needed by the Government at public expense, for the public purpose, namely, for development and utilization of land for Residential and Commercial, Sector 47, Gurgaon as shown in the development plan under the Haryana Urban Development Authority Act, 1977 by the Haryana Urban Development Authority in the area of village Jharsa, H.B. No.94, village Tikri, H.B.No.98, village Islampur, H.B.No.97, village Fatehpur, H.B.No.89, Tehsil and District, Gurgaon, which Haryana Government Estates Department Notification No.LAC(G)/NTLA/2003/921, dated 12<sup>th</sup> August, 2003 under Section 4 of the Land Acquisition Act, 1894 has been published, it is hereby declared that the land described in specification below is needed for the above purpose. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894 for information of all to whom it may concern.

The plans of the land may be inspected in the office of the Land Acquisition Collector, Urban Estates, Haryana Sector 14, Gurgaon

District	Tahsil	Village/ Locality and H.B.No.	Area in acres	Rectangle/Killa Nos./Khasra No.	
1	2	3	4	5	
Gurgaon	Gurgaon	Jharsa H.B.No.94	14.33 acres.	121	7/1, 7/2, 14, 16/1, 16/2, 16/3, 17, 24, 25/1, 25/2.

				124	6
				125	7, 8/1/1, 8/1/2, 10, 14.
				126	4,5,6, 7/1, 7/2, 8/1, 8/2 min and Khasra No. 165 min, 198.
Gurgaon	Gurgaon	Tikri H.B.No.98	21.53 acres	11	4, 5, 6
				12	24, 25/1, 25/2
				13	10, 11/1min, 11/2, 12min, 18/2, 19/2, 23, 24, 25/1, 25/2.
				18	13, 21 and Khasra no.19 min, 20 min, 22.
Gurgaon	Gurgaon	Islampur H.B.No.97	5.09 acres		380, 618, 619, 620, 621, 622, 626, 627, 629.
Gurgaon	Gurgaon	Fatehpur H.B.No.89	75.39 acres.	1	15, 16, 25.
				2	11, 16, 17, 18/1, 18/2, 19, 20, 21, 22/1/1, 22/1/2, 22/2, 23, 24, 25.
				3	1, 4/2, 7, 10/2, 11, 12, 14/1, 14/2, 14/3, 17/1, 17/2, 18min, 19min, 20mm, 24/1, 24/2, 24/3, 26, 27.
				4	5, 6, 15, 21
				5	16, 17/1, 20/1, 23, 24, 25/1, 25/2.
				6	6, 7, 8, 14, 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20, 21, 22/1, 22/2, 23/1, 23/2, 24, 25, 26.
				7	5, 6.
				8	1/1, 1/2, 2, 3, 4, 5/1, 6, 8/1, 9/1, 10/1, 10/2, 15/1.
				9.	4/2, 5, 6, 7/1, 8, 9/2, 10, 11/1, 12,

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					13/1, 26.
				10	25/2.
				11	1, 2, 3, 4/1, 4/2, 8, 9, 10.
				13	2/2, 3/1, 3/2, 4, 5/1, 5/2, 6/1, 6/2, 7/1, 7/2, 8, 9/1, 13/1, 13/2, 14/1, 14/2/1, 14/2/2.
				14.	4/2, 5, 6, 15, 22/1, 22/2 and Khasra no.22 min, 23 min, 24 min, 25, 26, 30.

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sd/-  
Special Secretary to Government Haryana,  
Urban Estates Department.

True copy.  
*Randeep Singh*  
Advocate.

BEFORE THE LAND ACQUISITION COLLECTOR, SECTOR-14,  
GURGAON.

1. Thakriya (deceased) through his L.Rs.
  - i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LRs:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Giani; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mchar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Duli s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;
9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu; (iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya, daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:
  - i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Dei, widow; (iv) Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of Shyam Singh s/o Chhaju;
11. Raj Singh (deceased) through his L.R.s:-
  - i) Lachhi Rma s/o Raj Singh s/o Chhaju,

Residents of village Fatehpur, Tehsil & District Gurgaon.

.....Objectors/Petitioners.

Versus

State of Haryana through Collector, Gurgaon.

.....Respondent.

**OBJECTIONS UNDER SECTION 9(2) OF THE  
LAND ACQUISITION ACT NO.LAC(G)-  
NTLA/2005/195 DATED 05.08.2005 REGARDING  
THE LAND OF VILLAGE FATEHPUR, TEHSIL &  
DISTRICT GURGAON FOR DEVELOPMENT OF  
SECTOR 47, URBAN ESTATE, GURGAON.**

Sir,

The objectors/petitioners most respectfully submit as  
under:-

1. That the objectors/petitioners are co-owners in possession as Gair Marusi from the last more than 100 years and thus have occupancy rights under the Tenancy Law in the land, pucca residential houses and temple of Mata Sherawali from the last more than 80 years bearing Khewat No.117/1009, Khatoni No.129/126, Rect.No.6, Kila no.8(4-4), Khatoni No.127/124, Rect.No.3, Kila no.26(2-8), Rect.No.6, Kila No.26(19-16); Khewat No.117/109, Khatoni No.152, Rect.No.6, Kila No.3/1(0\_17), Rect.No.26(3-17), Khatoni No.128/125, Rect.No.6, Kila no.7(5-0), 19/1(5-2); Khewat No.117/109, Khatoni No.133/130, Rect.no.6, Kila no.3/2(2-14), 3(1-9), 6(4-13); Khewat No.117/109, Khatoni No.144/141, Rect. No.6, Kila No.16/2(5-2), 17/1(1-0), Khewat

No.117/109, Khatoni No.145/42, Rect.No.6, Kila No.24(8-0); Khewat No.117/109, Khatoni No.130/127, Rect.No.6, Kila no.14(8-0), 17/2(7-0), 18/1(3-14), Khatoni No.131/128, Rect.No.6, Kila No.7(2-16), Khatoni no.132/129, rect.no.5, Kila no.20/1(3-11) to the extent of their respective shares, situated within the revenue estate of village Fatehpur, Tehsil & District Gurgaon. The Gram Panchayat of village Jharsa neither any locus-standi nor has any right, title or interest and the Gram Panchayat has wrongly recorded as owners in collusion with concerned revenue officials.

2. That the objectors/petitioners have constructed their residential houses in the above-mentioned land and are residing therein since the time immemorial with their families and they have no other land for their residential purpose, except the land in question.

3. That the State of Haryana issued the above said notification under Section 9 of the Land Acquisition Act regarding the land in question. The respondent never issued any notice to the objectors/petitioners regarding the said acquisition prior to the said notice. The objectors/petitioners are interest persons and aggrieved, prefer the following objections:-

a) That the above-mentioned land has great potential value and is situated within the best locations of District Gurgaon. The land in question is located in the periphery of posh and residential colonies like DLF, Unitech, Mayfield Garden, Malibu town, Rosewood Garden, South City, Greenwood Housing Society including HUDA's already

developed Sector; 32, 33, 38, 39, 44, 46 & 49-50. The market value in the said vicinity, where the land is situated is more than Rs.25,000/- per sq.yard. The posh residential societies and Group Housing Societies are located within a radius of 01.00 km from the land in question. The multi-storied well developed housing societies/Group Housing Colonies are also situated near the land under acquisition from many years;

b) That the District Gurgaon has its own importance for the posh residential and commercial/industrial/institutional Sectors in the map of the world. Each and every person have a dream to be associated with Gurgaon for the purposes of residential/commercial or Industrial due to its location, the land under acquisition has direct approach from Delhi and Indira Gandhi International Airport, thus the land in question has special potential value. In the above mentioned colonies near the land in question, the land/plot was mentioned colonies near the land in question, the land/plot was being sold @ Rs.25,000/- per sq.yard. The land in question has more potential value in comparison to the above mentioned fully developed residential colonies. The land in question is inter-connected with the above-mentioned colonies. The entire land nearby the land in question has already fully developed and all the necessary amenities like water, sewer, electricity are already available in the land in question;

c) That the land owners of villages Fatehpur (Jharsa) had sold out their undeveloped land, which situated just near the land in question @ Rs.2-2.50 crore per acre prior to the present notification regarding the land in question under Section 4 of the land acquisition act. Thus, the

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land in question has great potential and market value @ Rs.25,000/- per sq.yard in every aspect. However, the land under acquisition of the petitioners is fully developed and all the basic amenities are available in the land in question. Copies of sale deeds are attached herewith for your kind perusal please;

d) That the other land of objectors/petitioners had already been acquired by the HUDA for development of residential sectors, so they are in need of land in question for their own residential and commercial purposes, because they have no other land in vicinity. If, sufficient compensation is not granted to them, the objectors/petitioners would suffer irreparable loss and injury and the future of their respective family members would be ruined.

e) That according to the principles of equity and justice as well as the policy of the Haryana Government and each objectors/petitioners is entitled to be allotted at least one plot of 250 sq.yards/meters on the priority basis and on a reserve price under 'OUSTEE QUOTA'. Each Objectors/petitioners reserve the right to get a plot allotted as he was suffered on account of acquisition of their land against their wishes. Even respondent did not left the abadi land of the objectors/petitioners and it has become very difficult to objectors/petitioners to live in the village- so the allotting of plot of 250 sq.yards/meters is most necessary and important. That besides, the above mentioned due and profit, the objectors/petitioners are also entitled to get the benefits and compensation under Section 23(1) of the Land Acquisition Act.

P R A Y E R

In view of the above facts and circumstances, it is most humbly prayed that the objections of the objectors/petitioners may kindly be considered sympathetically and compensation of the land in question may kindly be decided @ Rs.25,000/- per sq.yard with all other benefits as per amended L.A. Act in favour of the objectors/petitioners in the interest of justice.

Objectors/Petitioners

Dated 07.12.2005.

1. Thakriya (deceased) through his L.Rs. i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LR:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Gianl; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mehar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Dulj s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;
9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu; (iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya, daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:

i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Del, widow; (iv) Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of Shyam Singh s/o Chhaju;

11. Raj Singh (deceased) through his L.R.s:-

i) Lachhi Ram s/o Raj Singh s/o Chhaju,

Residents of village Fatehpur, Tehsil & District Gurgaon.

Sd/- Dharam Pal    sd/- Ram Kumar    sd/- Raj Singh    sd/- Satbir

sd/- Mange Ram

Sd/- Khazan    sd/- Hukam Chand    sd/- Daya Kishan    sd/- Mohan Singh

Sd/-Azad Singh    sd/- Chandgi Ram    sd/- Ramesh    sd/- Balbir

Sd/- Mahabir

1. Thakriya (deceased) through his L.Rs. i) Khazan; (ii) Usaday Sons of Thakriya s/o Sh.Tirkha; (iii) Ram Kishan (deceased) s/o Sh.Thakriya s/o Sh.Tirkha through his LRs:- a) Suresh; (b) Gopal, sons of Ram Kishan; (iv) Hukam, son; (v) Smt.Shanti, daughter of Thakriya s/o Tirkha;
- 2) Soji; 3. Moji; 4 Giani; 5. Amar Singh, sons of Sh.Har Chand; 6. Mange;
7. Chander sons of Sh.Mehar Chand;
8. Duli (deceased) through his L.Rs: i) Lachhman s/o Dull s/o Nanga; ii) Hukam Singh (deceased) s/o Duli through his L.Rs: a) Ramphal; (b) Balu; (c) Dharmender, sons of Hukam Singh s/o Duli s/o Nanga; (iii) Ram Piyari daughter of Duli s/o Nanga;

9. Teja (deceased) through his L.Rs; (i) Ram Kumar (ii) Badlu; (iii) Ramesh, sons (iv) Bhagwani; (v) Mewa; (vi) Maya, daughters of Teja s/o Tirkha;
10. Shyam Singh (deceased) through his L.Rs:  
i) Azad; (ii) Dharampal, sons; (iii) Smt.Sukh Dei, widow; (iv) Vidya Devi; (v) Medo; (vi) Prem; (vii) Dhanpat, daughters of Shyam Singh s/o Chhaju;
11. Raj Singh (deceased) through his L.R.s:-  
i) Lachhi Rma s/o Raj Singh s/o Chhaju,  
Residents of village Fatehpur, Tehsil & District Gurgaon.

Through Counsel:

Sd/-

P.S.Thakran &

Rajesh Verma,

Advocates, Gurgaon.

True copy  
Randeep Singh  
Advocate.

Annexure P-5

Award no.12 for the year 2004-05.

Made by Sh.Amar Deep Singh, HCS, Land Acquisition Collector, Urban estate, Haryana, Gurgaon, Acquisition for 35.51 acres of land in village Fatehpur, H.B.No.89, The. and Distt. Gurgaon.

AWARD:-

The Urban Estates, Deptt. Haryana Govt. vide notification no.LAC (G)NTLA-2003/921 dated 12.8.2003 published in under Section 4 of the Land Acquisition Act, 1894 (herein after acres was likely to be needed by the Govt. at public expenses for a public purpose namely for the development and utilization of land as Residential, commercial, Institutional Area, Sector 47 at Gurgaon under the Haryana urban Development Authority act 1977 by the Haryana Urban Development authority in the area of village Fatehpur, H.B.No.89, Tehsil and Distt. Gurgaon.

Subsequently, declaration u/s-6 of the L.A.Act was issued on 10.8.04 vide notification no.LAC(G)-NTLA-2004/1077 vide which 75:39 acre of Lands was declared for acquisition. The State Govt. declared that the land under acquisition is needed for aforesaid public purpose. The Land Acquisition Collector, Urban Estate, Haryana, Gurgaon was also directed u/s 7 of the Act to take order for acquisition of land to question.

AREA OF THE LAND:-

The area given in the declaration u/s-6 of Act was 75.39 acres. The present award deals with 35.51 acre of land. The award of rest of the land could not be announced due to orders of Hon'ble High Court passed on the basis of orders dated 8.7.05 passed in CWP No.10845/02. The area under this award has been measured at the spot by the field staff u/s 8 of the Land Acquisition Act and the same has been found correct. The details of this area are given in the statement no.1 which has been prepared according to the para o.36-I of the Financial Commissioner's standing order no.28. The details of acquired number khasra & area under this award is as under:-

No.Khasra	Area	No.Khasra	Area
1//15	0-16	3//24/1	3-0
16	1-12	24/2	1-14
2//11	2-9	24/3	1-16
17	3-18	26	6-8
18/1	4-9	5//16	2-12
18/2	1-14	17/1	4-4
19	8-11	23	8-0
20	8-0	24	8-0
22/1/2	1-8	6//6	4-13
22/2	5-4	7	7-16
23	8-0	8	4-4
24	8-0	14	8-0
25	1-16	16/1	2-8

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3/1	8-0	16/2	5-12
4/2	7-0	17/1	1-0
7	6-4	17/2	7-0
14/1	1-6	18/1	3-14
14/2	2-15	18/2	3-14
14/3	0-14	19/1	5-2
17/1	0-13	19/2	2-18
17/2	3-15	6/1/24	8-0
18 min	0-16	25	8-0
19 min	1-16	26	19-16
20min	1-18	11/4/2	5-8
13//6/1	1-11		
6/2	3-2		
14/1	0-9		
14//4/2	2-16		
5	8-0		
6	8-0		
15	8-0		
22/2	0-17		
And Khasra no.			
22min	9-4		
23min	3-4		
24min	1-6		
25	7-0		
26	3-17		
30	0-18		(35.51 acre).

The above said detail of the land was intimated to the land owners/interested persons through notices u/s-9 of the L.A.Act and was read over to them, before the announcement of the award. None of the interested persons raised any objections regarding the detail of the land under acquisition.

**DEMAND OF THE LAND OWNERS AND OTHER INTERESTED PERSONS.**

The notice u/s-9 of the Act were issued to the land owners and other interested persons for 29.4.05 to appear before the Land Acquisition Collector, Gurgaon, personally or through duly authorised agents to file the claims regarding the compensation and their objections if any, to the measurement of the land. The right holders/interest persons who turned up for hearing did not submit any documentary proof in support of their contentions nor laid any evidences to substantiate the claim.

**MARKET VALUE:-**

In order to arrive at a conclusion about the market value of the land under acquisition. I have visited the land under acquisition and taken into consideration its location and potentiality. To fix the market value Haryana Govt. has constituted a committee under Chairmanship of concerned Commissioner of the Division. The District Collector, Gurgaon was requested vide letter dated 19.11.04 to supply the market value price of land under acquisition. The rate was fixed by the Divisional level Land Rate Fixation Committee, Gurgaon and the

same was supplied by the Id. District Collector, Gurgaon @ Rs.15,00,000/- per acre of all type of Land vide letter no.656/DRA dt. 23.6.05.

Keeping in view the above discussion and market rate intimated by the Ld. District Collector, Gurgaon, I have come to the conclusion that the rates fixed by the Divisional land rates fixation committee, Gurgaon are just and fair. So, I award the same accordingly.

**STRUCTURES/TUBEWELLS:-**

There are same structures/tube well on the acquired land. The value of the structures/tube well has been assessed by the Executive Engineer, HUDA, Division No.11, Gurgaon. I do not suffer with the same and award accordingly. The detail of said structures is attached with the land acquisition file.

**CROPS & TREES**

There where no trees and cross standing on the acquired land.

**COMPULSORY ACQUISITION CHARGES:-**

In addition to this on account of compulsory nature of acquisition. 30% compulsory acquisition charge are allowed and additional amount on market value at the rate of 12% per annum will also be allowed under section 23(1-A) & 23(2) of L.A. Act from the date of notification u/s-4 i.e. 12.8.03 to the date of announcement of award i.e. 7.12.05 as provided in the amended Land Acquisition Act, 1894.

**INTEREST:-**

As the possession has been taken over after offering the amount of compensation of the land and the same has been handed over to the representative of Estate Officer, HUDA, Gurgaon vide Rapat no.182 7.12.05, entered in the Roznamcha Wakayati Patwari Halqa Wazirabad. Hence, no interest is payable to the land owners.

**MODE OF PAYMENT:-**

The payment will be made to the land owners and other interested persons according to their rights and shares of entered in the latest record of rights (Jamabandi) and keeping in view the mutations sanctioned thereafter. In case any dispute arises, as to the apportionment of the compensation or any part thereof, the amount of compensation will be kept in L.A.C. account till the parties come to an amicable settlement. If the parties do not come to an amicable settlement, the dispute will be referred to the court of law for decision. The detail apportionment is given in award statement attached with the Award file.

**POSSESSION OF THE LAND.**

The possession of the land acquired vide this award has been taken over after offering amount of compensation of the land as per law vide Rapat no.182 dated 7.12.05 entered in the Roznamcha Wakayat of Patwari Halqa Wazirabad, except of such land for which the land owners/interested persons have taken stay for dispossession from any court of law till today. The land thus acquired, of which the possession has been taken, vests in state of Haryana and on transfer now, vest in

Urban Development Authority, free from all encumbrances from today  
i.e. 7.12.05.

**CONCLUSION:-**

Subject to the above fact this award stands as under:-

1.	Compensation for land	Rs.5,32,65,000/-
2.	Compensation for structure 30%.	Rs. 6,92,601/-
3.	Compulsory acquisition.	Rs.1,61,87,280/-
4.	Addl. amount @ 12% per annum from 12.8.2003 to 7.12.05 (27 months 25 day).	Rs.1,50,12,039/- -----
	Total	Rs.8,51,56,920/- -----

Announced this 7<sup>th</sup> day of December, 2005 in the open court in the  
presence of the land owners/interested persons who appeared before me.

The award is now fixed in my office.

Place: Gurgaon.  
Dt. 7.12.2005.

Sd/-  
Land Acquisition Collector,  
Urban Estates, Hr.Gurgaon.

True copy

*Randeep Singh*

Advocate.

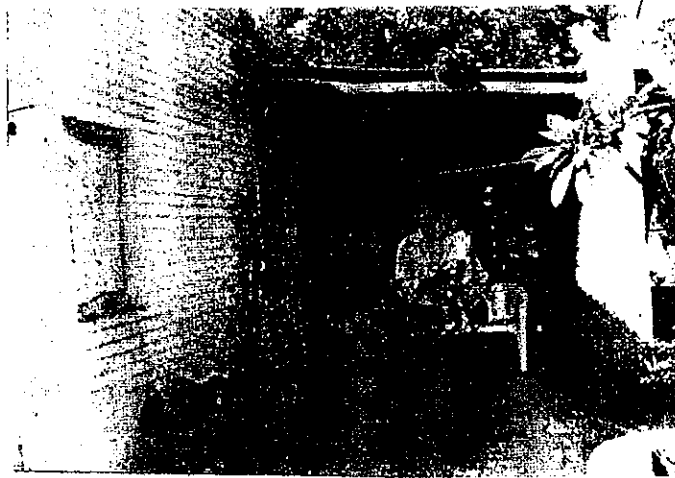


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Ann. List

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House of Krishna S/o Mange Ram

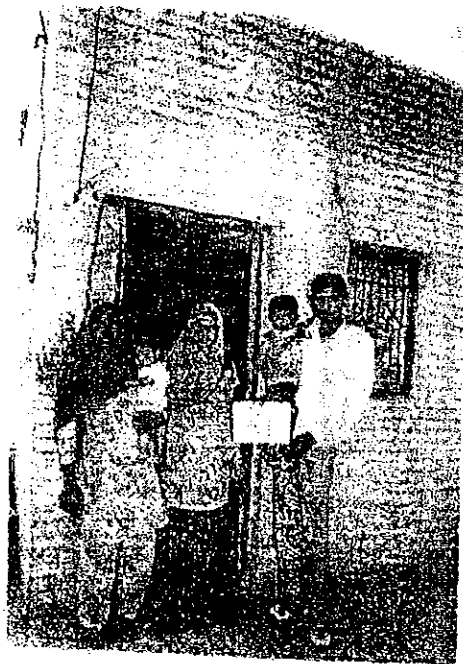
True Copy -  
Ramesh Singh

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House of Robert s/o Marge Ham

True Copy  
Randy Snel

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76



House of Jagdish S/o Raju

True Copy  
Randeep Singh



*House of Krishna Neptaw of Sh. Saji Ram*

*Three laps  
landscape*

359<sub>267</sub>

Ann. Fall

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Meera S. Mahendran, Sr. Saji Ram

True Copy  
Randeep Singh

360 288

Am. 2.12

79



House of Sanitari at Khetan tal

True copy  
of original copy

361 289

H. 1.13  
580



House of Sant Ram & Soji Ram

True Copy  
Randeep Singh

362/10

Date: / /

81



House of Sant Ram Ji Jyoti

True copy  
Ramesh Singh

363 271

Ann. P-15



House of Rajbir s/o Ganga Ram

True Copy  
Randeep Singh

364 272

Ann P. 16

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Measure of Subbar Singh S/o Saji Kumar

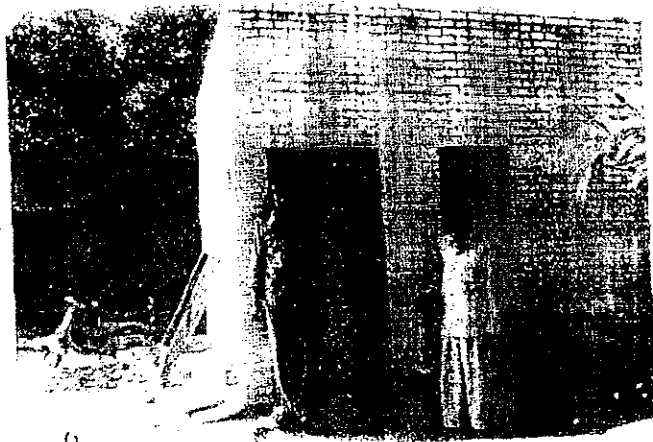
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Handed over to

365 273

Area 1.17

84



House of Lachmi Devi wife Manoj Ram

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Hardeep Singh

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Ann. P-18

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House of Tejpal, Sr. Ganga Ben

Thru. Gp  
Randeep Singh

## Annexure P-18/A

Proforma to be filled up by the concerned LAO while sending reports in land release cases:

Sr. No.	Particulars	Remarks
1.	Name of the landowner/applicant.	Fatehpur Gram Panchayat.
2.	a) Total area under acquisition & Khasra Nos.	6/16 6/6 (4-13), 7(7-16), 8(4-4), 14(8-0), 2(5-12), 17/1(0-1), 18/1 (3-14), 19(5-2).
	b) Release sought for what purpose & area of the land requested for release with Khasra Nos.	No
3.	Name of village/Urban Estate/Sector No.	Sector 47.
4.	Date of Notification under Section 4 & purpose of acquisition.	13.8.2003
5.	Whether objection under Section 5A filed or not? Govt. decision, if any.	Yes.
6.	Whether any area released under Section 5A.	Yes.
7.	LAO's recommendations on objection filed under Section 5A.	Yes.
8.	Govt. decision on LAO's recommendations.	No

9.		Date of Notification under Section 6.	10.8.2004
10.		Any recommendation in JSIC report? Decision of Govt. , if any.	-
11.	a)	Date of Award.	7.12.05.
	b)	Date of taking possession (Pl attach copy of Roznamcha/any other proof).	Yes.
12.	a)	Whether any structure was existing before under Section 4?	Earlier.
	b)	If yes, details of structure.	Earlier sent (now report 5A attached)
	c)	Whether landowner/his family was residing at the time of Section 4, if residential structure?	Yes
	d)	Date of Award of Structure & Amount	No
13.	a)	If award announced, whether compensation received by the applicant or not.	Section 30 stands sent in Court.
	b)	If yes, details thereof.	
	c)	Whether any land released earlier except under Section 5A (Column No.6)? If so arca, the level/stage of acquisition when released.	No.
15.	a)	Any Court case pending or not CWP No.& title of the case.	No
	b)	Whether any stay granted - copy thereof.	



370

278

89

ANNEXURE P-19

**NOTICE**

You are all informed that the land on which you are in possession belongs to HUDA Deptt. and you have taken illegal possession of the same. You are requested that you may vacate the land within 24 hours, otherwise HUDA Deptt. would forcibly remove you from the land.

BY ORDER  
ESTATE OFFICER-2,  
HARYANA URBAN DEVELOPMENT AUTHORITY  
GURGAON

True Translation,

*Randeep Singh*

Advocate

371

219

Am 1-50

To -



True copy  
Randeep Singh

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10/04/2015 17:55

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Ann. P-53

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Jaswal Singh

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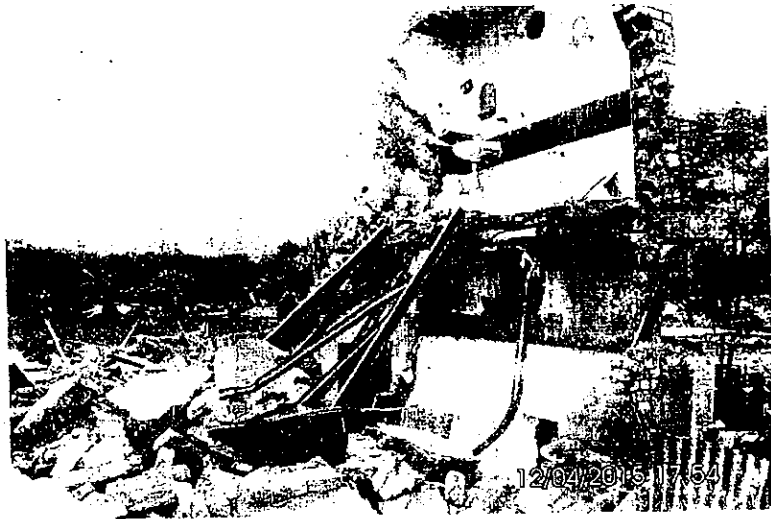
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Kandarp Singh

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Page 1 of 2  
97



Tree lobby  
Kandhari Gurgaon

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Randeep Singh

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Ann. P. 25

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Parvati Singh

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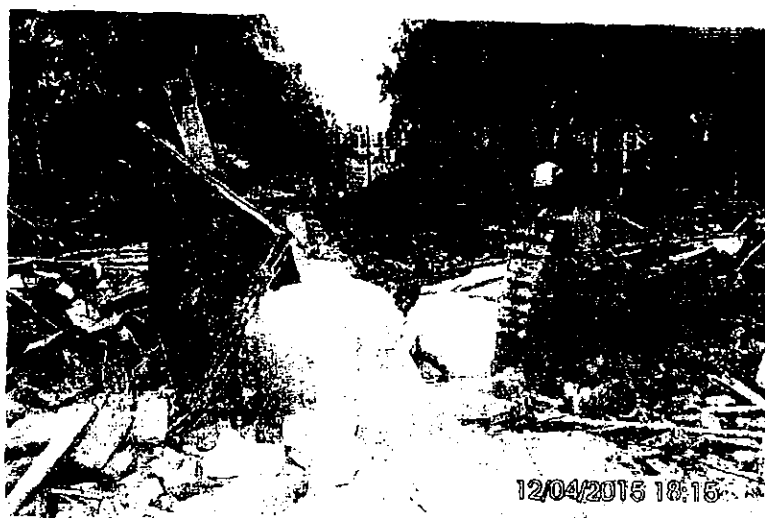


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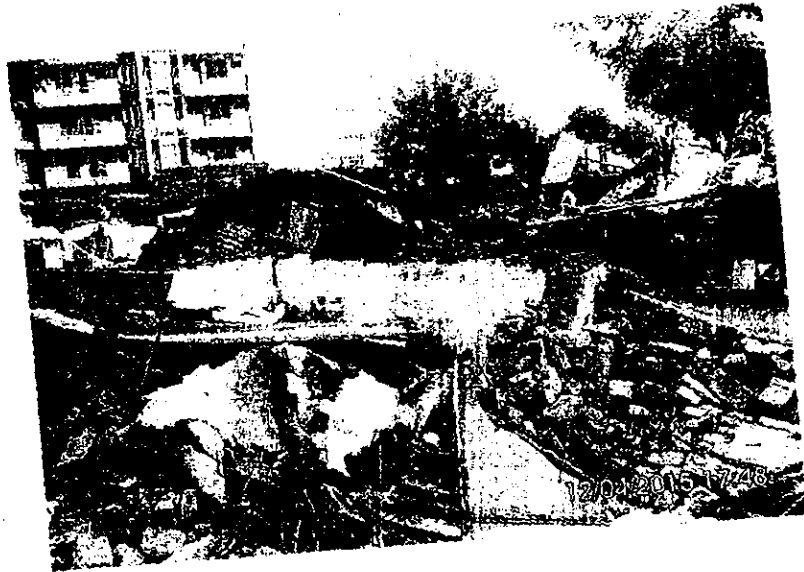
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15/08/15

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Handicap Group

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Am 1-90

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Randeep Singh

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Area P. 41  
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Handcap Singh?

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Pandap Singh

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Am P.44  
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Am. P. 450  
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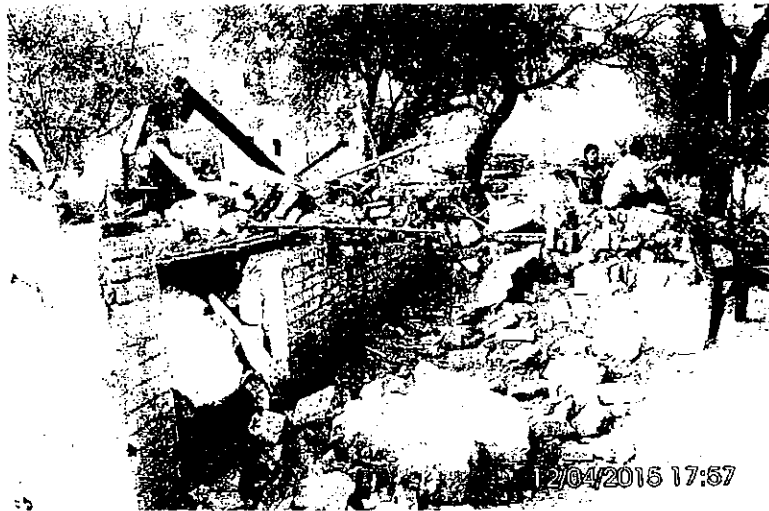


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Kandeep Singh

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Ann. P. 40

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Randeep Singh

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Annexure P-47

13.4.2015

By Registered Post

To

1. Respected S.H.O., Sadar, Gurgaon.
2. Respected Deputy Commissioner, Gurgaon.
3. Respected Police Commissioner, Gurgaon.
4. Respected Commissioner, Municipal Corporation, Gurgaon.
5. Respected Director General of Police, Haryana, Panchkula.
6. Hon'ble Chief Minister, Haryana Government, Chandigarh.
7. His Excellency, The Governor of Haryana State, Chandigarh
8. Hon'ble Prime Minister, Govt. of India, New Delhi.
9. His Excellency, The President of India, New Delhi.
10. Respected Chairman, Human Right Commission, Govt. of India, New Delhi.
11. Respected Chairman, Women Commission, Govt. of India, New Delhi.
12. Respected Chairman, Minor Children Commission, Govt. of India, New Delhi.
13. Respected Chairman, Women Commission, Haryana, Panchkula.
14. Respected Chairman, Human Right Commission, Chandigarh.

15. Respected Chairman, Lokayukta, Haryana, Chandigarh.
16. Hon'ble the Chief Justice, Punjab and Haryana High Court, Chandigarh.
17. Hon'ble the Chief Justice, Hon'ble Supreme Court of India, New Delhi.

Subject:- Application for taking action against the Criminal/defaulters conniving with builders, capitalists, Uniworld & Unitech owners for making unnecessary pressure, illegal demolition of Rs.205 crores property, for taking domestic article and damaging it and taking jewellery articles forcibly, unlawfully and by unfair means, for behaving shameful act with Women, youngsters and for keeping unlawful custody, against human right, women right, child right, threat of killing and for involving in false cases etc. against single village Fatehpur Jharsha of 100 years old of Kashyaps residents.

Respected Sir,

It is respectfully submitted that we the applicants belong to Kashyap backward class and are residing permanently from last 100 years in Village Fatehpur Jharsa, Sector 47, Gurgaon with our families. The employees of Haryana Police pasted notices on 11.4.2015 at 6.00 P.M. at different places to vacate the village within 24 hours. On 12.04.2015 at 8.00 AM, large police force in hundreds including lady police, HUDA Deptt. employees surrounded out village. Ladies and youngsters of village were caught abused and by shameful and illegal way taken into custody and unlawfully and they were taken and kept in illegal custody at unknown places upto 4 PM. Police force on 12.04.2015 at 8.00 AM started demolition illegally way by deploying 6 JCBs, 4 Tractor Trolleys and two Fire Brigade vehicle. At that time Shri Krishan Pal Kashyap son of Sh.Bhagwan Sahai resident of Ashok Vihar, Gurgaon, Shri Pardeep Singh Kashyap son of Sh.Ram Chander Singh,

resident Madanpuri, Gurgaon, Shri Lokram Kashyap son of Jagatnath resident of New Basti, Gurgaon, Shri Krishan Kumar Kashyap son of Sh.Chander Parkash, resident of Badshahpur and Shri Satbir Singh Kashpat son of Bahadur resident of Badshahpur were also present on spot, who have seen the whole incident with their eyes. 205 pucca houses with domestic articles were completely demolished. 205 pucca old houses of village Fatehpur Jharsa were destroyed completely and turned into plain land and made us all houseless. We all resident of village helng to below poverty line (BPL). Local Police and HUDA employees of Gurgaon have done a great atrocity to women, children, elders and youngsters. They have done a great loss of Rs.205 cores by destroying the domestic articles of Fatehpur Jharsa village. Essential services like electricity, water and all public health amenities were stopped/closed and threatened all villagers to vacate the village immediately otherwise you will be got involved in false cases. Human Right, Women Right and Child Right were violated completely and openly. Our village Fatehpur Jharsa, Sector 47 is spread over/inhabited in 13 acres of land. Multi storey flats of great builders and capitalists were built around our whole village. Big builders - Uniworld and Unitech were hatching out a criminal conspiracy in connivance with HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P. This small village of 100 years old of Kashyap residents were demolished illegally in connivance of HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P and after taking illegal gratification of crores of rupees. Democratic rights were violated openly. The domestic articles

and jewellery of villagers were forcibly and illegally taken away by HUDA employees of Gurgaon. Electricity, water meters etc. were illegally disconnected. HUDA employees of Gurgaon have also taken away the electric meters with them. We have not seen such shameful injustice till today. Local Police and HUDA employees of Gurgaon have forced us to live in open by murder of democracy. We are earning our livelihood for our BPL families and the police has left us under the open Sky by demolishing our houses in village. We are voters of this village and house tax receipts and electricity bills are with us. Our Ration Card, Identity Cards are made of this village long ago. Uniworld and Unitech Builders have fortified our poor village of Kashyap residents of below poverty line illegally by making boundary wall all around. So, it is humbly requested that stern legal action may be taken against the culprits in conspiracy by registering a case against HUDA employees of Gurgaon, Police force Gurgaon, Estate Officer-2, HUDA Deptt. involved in the illegal and shameful demolition of 205 Kashyap families with domestic articles of village Fatehpur Jharsa, Sector 47, Gurgaon. All villagers were given the compensation of Rs.205 crores immediately for their houses and domestic articles demolished illegally and forcibly. Our village Fatehpur Jharsa may be got reconstructed and electricity and water arrangement be made immediately. All villagers provided food stuff etc. Arrangement of villagers be made to live permanently in the village till the reconstruction of our village by HUDA Deptt. and Haryana Govt. is taken up. We all will continue our agitation in village by taking resort to Satyagrah, by on going Hunger strike and sitting on

fast till end of our lives in our village and till justice is done with us. In case there is any loss of life and property of poor backward class of Kashyap of permanent resident of Fatehpur Jharsa family, Sector 47, Gurgaon, then Govt. of Haryana will be fully responsible. Today we came to know that HUDA has planned to acquire our village illegally without giving notice.

So, we all villagers with utmost respect pray that justice be provided to 100 years old village of Fatehpur Jharsa inhabitants of Kashyap Backward class society immediately.

Thanking you,

Sd/-  
Sd/- All residents- Fatehpur Jharsa,  
Sector 47, Gurgaon, Haryana  
List attached.

True copy

*Randev Singh*

Advocate.

Extract of news item published in "The HINDU" English Daily

dated 13.4.2015.

CITY/NCR:

### **HUDA demolishes over 200 houses**

13 -- acre Gurgaon village land cleared of encroachment in 8 hours.

Ashok Kumar

GURGAON: More

than 1,200 houses

people, including

newborns, the

elderly and pregnant

women, wec left to

fend for themselves

under the open sky

after the Haryana

Urban Development Authority (HUDA) officials along with the police

demolished over 200 houses at Fatepur (Jharsa)village in Sector 47 here

on Sunday.

In an eight-hour-long operation that began at 6 a.m. the HUDA

officials and the Gurgoan Police together raised the houses in the village

spread over 13 acre and cleared the land of encroachment.

After the demolition squad left, the villagers could be seen searching the rubble for their belongings, some trying to put together corrugated iron sheets on bamboos to erect makeshift huts and others cooking in the open.

"We had not even got up in the morning when the police in large numbers, over 2,000 policemen, surrounded the village and began the demolition drive. We were outnumbered and had no choice but to helplessly watch the police raze our houses. They spared only three temples and nothing else," said Rajender, an auto-driver.

The village is mostly inhabited by the people belonging to backward Kashyap community.

As per the HUDA, the land in question was to be used as access road for Unitech's Uniworld Garden-II Apartments residential project and other public amenities, but was encroached upon. The encroachment had delayed possession to over 800 odd flat owners holding flats in the project.

A local court had also directed the police to lodge a First Information Report against three directors of Unitech Realty Private Limited, besides six others, six months ago in this connection.

The police had tried to clear the encroachment in 2011 as well, but the operation was aborted due to violent protests in which two vehicles were set afire and several people were injured.

Locals accuse the BJP Government of acting in connivance, with the builders, when, they say, are eyeing this prime land.

The villagers, however, claimed that the land belonged to them and they were settled here for the past over too years. "These people have been staying here since 1938 and can produce evidence in this connection. Now suddenly, the government has rendered them homeless without any notice and rehabilitation plan.

"The action has been taken by the BJP government in connivance with the builders who are eyeing this prime land. We had met the Chief Minister in December and he had assured that no action would be taken, still they did this to us," said Haryana Kashyap Rajput Sabha Vice President – Pradeep Singh Kashyap.

Not willing to give up, village headman Mohan Kashyap said they would continue to stay in the village and not evacuate the land under any circumstances. "They have broken our homes. We have lost our belongings. Now we have nothing to lose. We will fight it out in the court and on the streets," Said Mohan.

-----  
True Extract

*Pradeep Singh*

Advocate.

406

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Annexure P- 49

To

dt. 15.4.15.

Phone No.011-24651750.

Respected Shri K.G.Balakrishan Ji,  
President,  
National Human Right Commission,  
Human Right Bhavan, Block-C,  
J.P.O. Complex, I.N.A.,  
NEW DELHI-110 023.

Respected Sir,

Namaskar,

64786/CR/15 64786/CRI15

Subject:- Application for taking action against the Criminal/defaulters conniving with builders, capitalists, Uniworld & Unitech owners for making unnecessary pressure, illegal demolition of Rs.205 crores property, for taking domestic article and damaging it and taking jewellery articles forcibly, unlawfully and by unfair means, for behaving shameful act with Women, youngsters and for keeping unlawful custody, against human right, women right, child right, threate of killing and for involving in false cases etc. against single village Fatehpur Jharsha of 100 years old of Kashyaps residents.

Respected Sir,

It is respectfully submitted that we the applicants belong to Kashyap backward class and are residing permanently from last 100 years in Village Fatehpur Jharsa, Sector 47, Gurgaon with our families. The employees of Haryana Police pasted notices on 11.4.2015 at 6.00 P.M. at different places to vacate the village within 24 hours. On 12.04.2015 at 8.00 AM, large police force in hundreds including lady police, HUDA Deptt. employees surrounded out village. Ladies and youngsters of village were caught abused and by shameful and illegal way taken into custody and unlawfully and they were taken and kept in illegal custody at unknown places upto 4 PM. Police force on

12.04.2015 at 8.00 AM started demolition illegally way by deploying 6 JCBs, 4 Tractor Trolleys and two Fire Brigade vehicle. At that time Shri Krishan Pal Kashyap son of Sh.Bhagwan Sahai resident of Ashok Vihar, Gurgaon, Shri Pardeep Singh Kashyap son of Sh.Ram Chander Singh, resident Madanpuri, Gurgaon, Shri Lokram Kashyap son of Jagatnath resident of New Basti, Gurgaon, Shri Krishan Kumar Kashyap son of Sh.Chander Parkash, resident of Badshahpur and Shri Satbir Singh Kashpat son of Bahadur resident of Badshahpur were also present on spot, who have seen the whole incident with their eyes. 205 pucca houses with domestic articles were completely demolished. 205 pucca old houses of village Fatehpur Jharsa were destroyed completely and turned into plain land and made us all houseless. We all resident of village belong to below poverty line (BPL). Local Police and HUDA employees of Gurgaon have done a great atrocity to women, children, elders and youngsters. They have done a great loss of Rs.205 cores by destroying the domestic articles of Fatehpur Jharsa village. Essential services like electricity, water and all public health amenities were stopped/closed and threatened all villagers to vacate the village immediately otherwise you will be got involved in false cases. Human Right, Women Right and Child Right were violated completely and openly. Our village Fatehpur Jharsa, Sector 47 is spread over/inhabited in 13 acres of land. Multi storey flats of great builders and capitalists were built around our whole village. Big builders - Uniworld and Unitech were hatching out a criminal conspiracy in connivance with HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P. This

small village of 100 years old of Kashyap residents were demolished illegally in connivance of HUDA Deptt., Police Deptt., Gurgaon and senior leaders of B.J.P and after taking illegal gratification of crores of rupees. Democratic rights were violated openly. The domestic articles and jewellery of villagers were forcibly and illegally taken away by HUDA employees of Gurgaon. Electricity, water meters etc. were illegally disconnected. HUDA employees of Gurgaon have also taken away the electric meters with them. We have not seen such shameful injustice till today. Local Police and HUDA employees of Gurgaon have forced us to live in open by murder of democracy. We are earning our livelihood for our BPL families and the police has left us under the open Sky by demolishing our houses in village. We are voters of this village and house tax receipts and electricity bills are with us. Our Ration Card, Identity Cards are made of this village long ago. Uniworld and Unitech Builders have fortified our poor village of Kashyap residents of below poverty line illegally by making boundary wall all around. So, it is humbly requested that stern legal action may be taken against the culprits in conspiracy by registering a case against HUDA employees of Gurgaon, Police force Gurgaon, Estate Officer-2, HUDA Deptt. involved in the illegal and shameful demolition of 205 kashyap families with domestic articles of village Fatehpur Jharsa, Sector 47, Gurgaon. All villagers were given the compensation of Rs.205 crores immediately for their houses and domestic articles demolished illegally and forcibly. Our village Fatehpur Jharsa may be got reconstructed and electricity and water arrangement be made immediately. All villagers provided food

stuff etc. Arrangement of villagers be made to live permanently in the village till the reconstruction of our village by HUDA Deptt. and Haryana Govt. is taken up. We all will continue our agitation in village by taking resort to Satyagrah, by on going Hunger strike and sitting on fast till end of our lives in our village and till justice is done with us. In case there is any loss of life and property of poor backward class of Kashyap of permanent resident of Fatehpur Jharsa family, Sector 47, Gurgaon, then Govt. of Haryana will be fully responsible. Today we came to know that HUDA has planned to acquire our village illegally without giving notice.

So, we all villagers with utmost respect pray that justice be provided to 100 years old village of Fatehpur Jharsa inhabitants of Kashyap Backward class society immediately.

Thanking you,

Sd/- Krishan Pal Kashpay  
9313706090

Sd/- Mohinder Kashyap,  
9718294586

Sd/- Mohan Singh Kashyap  
9990570429.

Sd/-  
Pardcep Singh Kashyap,  
All villagers, Fatehpur Jharsa,  
Sector 47, Gurgaon, Haryana  
List attached.  
M.No.9990900997

House No.939,  
Street No.11, Madanpuri,  
Gurgaon 122 027 (HR).

True copy  
*Pardcep Singh*  
Advocate.

Annexure P-50

Assistant Registrar (LAW) Case No.3828/7/5/2015/OC  
 Fax No.:011-24651332 NATIONAL HUMAN RIGHTS COMMISSION  
 (LAW DIVISION)

\* \* \*

MANAV ADHIKAR BHAWAN  
 Block-C, G.P.O.COMPLEX, NEW DELHI-110 023.

Case No.3828/7/5/2015

Dated 12.05.2015

To

THE CHIEF SECRETARY,  
 GOVT. OF HARYANA, CHANDIGARH.

Sub: Complaint from

PRADEEP KASHYAP AND OTHERS,  
 R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
 GURGAON, HARYANA.

Sir,

The complaint dated 15.04.2015, was placed before the  
 Commission on 08.05.2015. Upon perusing the complaint, the  
 Commission directed as follows:-

*Transmit a copy of the complaint to the concerned authority  
 calling for a report within four weeks.*

2. Accordingly, I am forwarding herewith a copy of the  
 complaint for taking appropriate action in the matter as per the directions  
 of the Commission. It is requested that an Action Taken Report be sent  
 to the Commission within a 4 weeks from the date of receipt of this  
 letter.

Yours faithfully,

Sd/-

Encl: As above.

CC to

ASSISTANT REGISTRAR(LAW)

Case No.3828/7/5/2015  
 PRADEEP KASHYAP AND OTHERS,  
 R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
 GURGAON, HARYANA.

True copy

*Randeep Singh*  
 Advocate.

ASSISTANT REGISTRAR(LAW)

411

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Annexure P-51

Assistant Registrar (LAW) Case No.3828/7/5/2015/OC  
Fax No.:011-24651332 NATIONAL HUMAN RIGHTS COMMISSION  
(LAW DIVISION)

\* \* \*

MANAV ADHIKAR BHAWAN  
Block-C, G.P.O.COMPLEX, NEW DELHI-110 023.

Case No.3828/7/5/2015

Dated 12.05.2015

To

THE DIRECTOR GENERAL OF POLICE,  
POLICE HEADQUARTERS, SEC.6, PANCHKULA,  
HARYANA.

Sub: Complaint from

PRADEEP KASHYAP AND OTHERS,  
R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
GURGAON, HARYANA.

Sir,

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of the Commission. It is requested that an Action Taken Report be sent  
to the Commission within a 4 weeks from the date of receipt of this  
letter.

Yours faithfully,

Sd/-

Encl:As above.

CC to

ASSISTANT REGISTRAR(LAW)

Case No.3828/7/5/2015

PRADEEP KASHYAP AND OTHERS,  
R/O FATEHPUR JHARSA, SEC.47, GURGAON,  
GURGAON, HARYANA.

True copy  
Adv.

ASSISTANT REGISTRAR(LAW)

JASWAL BHUTTESH  
2015.05.30  
True Scanned Copy Ltd  
Original  
PHHC Chandigarh

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True Copy  
Kandeep Singh

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True Copy  
Randeep Singh

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Item No. P-56  
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Randeep Singh

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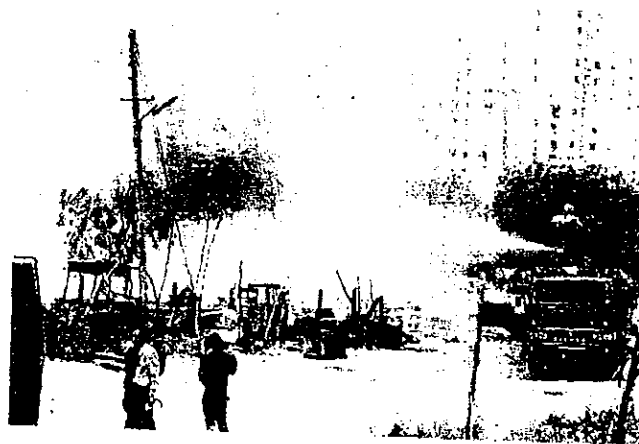
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Ann P. 58

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True Copy  
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Signature. ~~RAM~~

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P-19

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सूचना

आप सब को सूचित किया जाता है कि आप जिस जमीन पर काबिज हैं वह जमीन हुडा विभाग की है तथा आपने इस पर नाजायज कब्जा किया हुआ है। आपसे अनुरोध है कि आप सब इस जमीन को चौबीस घण्टे के अन्दर-2 खाली कर देवे अन्यथा हुडा विभाग द्वारा आप को जबरन हटाया जावेगा।

आदेशानुसार

सम्पदा अधिकारी-2

हरियाणा शहरी विकास प्राधिकरण,

गुड़गांव।

True Copy

Rambal Singh

Adm

237 C.M. Nos. 12643, 12829 and 12995 of 2015 in  
CWP No. 10558 of 2015

***Bheem Singh Kashyap and others***  
**vs**  
***State of Haryana and others***

Present.- Mr. O.P. Goyal, Senior Advocate with  
Ms. Shamita Kaushik, Advocate  
for the petitioners.

Mr. Kulwant Singh, Advocate  
for petitioners No. 37, 63 and 87.

Mr. S.S. Pannu, Deputy A.G., Haryana.

Mr. Lokesh Sinhal, Advocate  
for respondents No. 3 to 5.

Mr. Ashish Chopra, Advocate  
for respondents No. 9 and 10.

Mr. Salish Aggarwal, Advocate.

-0-0-0-

**CM No. 12643 of 2015**

We do not find any direction can be issued to produce  
documents from the record from the Haryana Urban Development  
Authority.

The CM stands dismissed.

**C.M. No. 12829 of 2015**

The prayer in the application is for permitting the petitioners to  
re-possess the land.

We do not find any such direction can be issued at the motion  
stage.

The request of the petitioners shall be considered at the time  
of final decision of the writ petition.

The C.M. Stands disposed of.

**C.M. No. 12995 of 2015**

The application is for amendment of the writ petition.

Notice be issued to the counsel for the non-applicant(s).

421<sub>329</sub>

Mr. S.S. Pannu, DAG Haryana accepts notice of the application on behalf of respondents No.1,2 and 6 to 8. Mr. Lokesh Sinhal, Advocate accepts notice on behalf of respondents No.3 to 5. Mr. Ashish Chopra, Advocate accepts notice on behalf of respondents No.9 and 10 and Mr. Satish Aggarwal, Advocate accepts notice on behalf of respondent No.11.

Keeping in view the fact that the writ petition is at the motion stage, learned counsel for the respondents have no objection to the amendment being allowed subject to filing of a counter affidavit to counter the averments made by the petitioners.

In view of the said fact the application is allowed and the petitioners are permitted to amend the petition. The amended writ petition is taken on record.

CWP No.10558 of 2015.

Learned counsel for the respondents seek time to file replies.

List on 26.11.2015.

(HEMANT GUPTA)  
JUDGE

October 05, 2015  
Vijay Asija

(HARI PAL VERMA)  
JUDGE

422  
330

Annexure R-5/6

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105+250 CM-8891-2015 IN/AND CWP-10558-2015  
BHHEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.

Present: Mr. Ashish Aggarwal, Senior Advocate  
with Mr. Vijay S. Kajla, Advocate  
for petitioners No. 37, 63 & 87.

Mr. O.P. Goyal, Senior Advocate  
with Mr. R.S. Smagh, Advocate  
for the petitioners.

Mr. R. S. Kang, Advocate  
for the applicants-petitioners.

Mr. Lokesh Sinhal, Advocate  
for respondents No. 3 to 5.

Mr. Ashish Chopra, Advocate  
for respondents No. 8, 9 to 10.

Mr. Satish Aggarwala, Advocate.

\*\*\*

**CM-8891-2015**

Notice of the application to non-applicants/respondents.

Learned counsel for the respondents accept notice and prays for  
time to file reply.

**CWP-10558-2015**

Reply on behalf of respondents No. 6 & 8 filed in the Court  
today is taken on record and a copy thereof has been given to learned  
counsel for the petitioners. Office to tag the same at appropriate place.

Adjourned to 17.08.2015.

(AJAY KUMAR MITTAL)  
JUDGE

(REKHA MITTAL)  
JUDGE

July 27, 2015.  
*Justice Kaur*

423  
331

102+230

CM No.10203 of 2015 in and CWP No.10558 of 2015 (O&M)

Bheem Singh Kashyap and others  
Vs.  
State of Haryana and others

Present: Mr. O.P.Goyal, Sr. Advocate with  
Mr. Randeep Singh, Advocate  
for the petitioners (except petitioners No.37, 63 and 87).

Mr. Ashish Aggarwal, Sr. Advocate  
with Mr. Vijay S. Kajla, Advocate  
for petitioners No.37, 63 and 87.

Mr. Sudeep Mahajan, Adll. A.G. Haryana  
for respondents No.1,2, 6, 7 and 8

Mr. Anil Rana, Advocate for respondents No.3 to 5.

Ms. Shreya Puri, Advocate for  
Mr. Ashish Chopra, Advocate for respondents No.8, 9 and 10.

Mr. Satish Aggarwala, Advocate for the applicant.

\*\*\*\*\*

List again on 3.9.2015.

(HEMANT GUPTA)  
JUDGE

17.08.2015  
Maanjit

(RAJ RAHUL GARG)  
JUDGE

232

**CM No.10203 of 2015 &  
CM No.11264 of 2015 in  
CWP No.10558 of 2015**

**Bheem Singh Kashyap & ors. vs. State of Haryana & ors.**

**Present:** Mr. Randeep Singh, Advocate  
for the petitioners except petitioners No.37, 63 & 87.

Mr. Vijay S. Kajla, Advocate  
for petitioners No.37, 63 & 87.

Mr. Rajesh Gaur, Addl. AG, Haryana  
for respondents No.1 & 2.

Mr. Lokesh Sinhal, Advocate for  
Mr. Anil Rana, Advocate for respondents No.3 to 5.

Mr. Aashish Chopra, Advocate  
for respondent Nos.9 & 10.

Mr. Satish Aggarwal, Advocate for the applicant.

\*\*\*\*

**CM No.10203 of 2015**

The application is for impleadment of Uniworld Garden-II Apartments Owners Association as respondent since the said association is going to be affected adversely by any order passed in the writ petition.

There is no opposition to such application. Therefore, the application is allowed. The association is ordered to be impleaded as respondent No.11.

Mr. Satish Aggarwal, Advocate is directed to file amended memo of parties within a period of one week.

CM stands disposed of.

**CM No.11264 of 2015**

Learned counsel for the applicant prays for withdrawal of the present application.

Prayer allowed.

Dismissed as withdrawn.

425

833

CM No.10203 of 2015 &  
CM No.11264 of 2015 in  
CWP No.10558 of 2015

-2-

CWP No.10558 of 2015

Learned senior counsel for the petitioners (except  
petitioners No.37, 63 & 87) is not available to argue the matter.

List on 05.10.2015.

(Hemant Gupta)  
Judge

03.09.2015  
sonia

(Raj Rahul Garg)  
Judge

228 CWP-10558-2015

**Bheem Singh Kashyap and others  
Vs.  
State of Haryana and others**

Present: Mr. O.P. Goyal, Sr. Advocate with  
Mr. Nirmal Singh, Advocate for the petitioners.

Mr. Kulwant Singh, Advocate  
for petitioners No.37, 63 and 87

Mr. Vivek Saini, AAG, Haryana  
for respondents No.1 and 2.

Mr. Lokesh Sinhal, Advocate  
for respondents No.3 to 5.

Mr. Ashish Chopra, Advocate  
for respondents No.9 and 10.

Ms. Shriya Kalra, Advocate for  
Mr. Satish Aggarwal, Advocate  
for respondent No.11.

\*\*\*\*

List for arguments on 21.01.2016.

Reply on behalf of the respondents be filed within 6 weeks.

**(HEMANT GUPTA)  
JUDGE**

**(SNEH PRASHAR)  
JUDGE**

26.11.2015  
*juender*

427<sub>335</sub>

244

CWP No. 10558 of 2015

**BHEEM SINGH KASHYAP AND ORS  
VS  
STATE OF HARYANA AND ORS**

Present: Mr. O.P. Goyal, Sr. Advocate with  
Mr. Mukesh Verma, Advocate  
for the petitioners.

Mr. Lokesh Sinhal, Advocate  
for respondents No. 3 to 5.

Mr. Aashish Chopra, Advocate  
for the respondent No.9 and 10.

\*\*\*

To be heard along with CWP No. 20732 of 2014.

**[HEMANT GUPTA]  
JUDGE**

**[SNEH PRASHAR]  
JUDGE**

21.01.2016  
rashmi

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

**112+214      CM-3361-CWP-2016 in/and  
CWP-10558-2015,  
CWP-20732-2014,  
CWP-15943-2015**

**BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.**

Present: Mr. O. P. Goyal, Sr. Advocate with  
Mr. Mukesh Verma, Advocate;  
Mr. Vijay S. Kajla, Advocate for  
Mr. Kulwant Singh, Advocate  
for the petitioner(s).

Mr. Saurabh Mago, AAG, Haryana.

Mr. Lokesh Sinhal, Advocate  
for HUDA.

\*\*\*\*

**CM-3361-CWP-2016 in CWP-10558-2015**

Replication to the joint written statement filed by the  
respondent Nos. 3 to 5 is taken on record, subject to all just  
exceptions.

CM stands disposed of.

**Main Case(s)**

Written statement on behalf of respondent Nos. 7 to 176 in  
CWP No. 20732 of 2014, filed in Court today, is taken on record,  
subject to all just exceptions.

To come up on 25.04.2016 for arguments.

Photocopy of this order be placed on the file of other  
connected cases.

**(AJAY KUMAR MITTAL)  
JUDGE**

**(RAJ RAHUL GARG)  
JUDGE**

**17.03.2016**

wasoem

17429 337

Awareness 25/3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

214 CWP No.10558 of 2015  
CWP No.20732 of 2014 and  
CWP No.15943 of 2015 (O&M)

BHEEM SINGH KASHYAP AND ORS. VS STATE OF  
HARYANA AND ORS.

Present: Mr. O.P.Goyal, Sr. Advocate with  
Mr. Vijay Singh, Advocate,  
Mr. Vijay S.Kajla, Advocate for  
Mr. Kulwant Singh, Advocate for the petitioners).

Ms. Palika Monga, DAG, Haryana.

Mr. Aashish Chopra, Advocate  
for respondents No.9 and 10  
in CWP No.10558 of 2015 and  
respondent No.6 in CWP No.20732 of 2014.

Ms. Shriya Kalra, Advocate for  
Mr. Saish Aggarwala, Advocate  
for respondent No.11 in CWP No.10558 of 2015.

Mr. Lokesh Simbal, Advocate for HUDA.

\*\*\*\*

Heard.

Admitted.

To be listed for final hearing on 20.07.2016.

To be taken up at Sr. No.1.

A photocopy of this order be placed on the files of  
other connected cases.

[ AJAY KUMAR MITTAL ]  
JUDGE

[ DARSHAN SINGH ]  
JUDGE

25.04.2016  
Vinay

CWP No.10558 of 2015  
CWP No.20732 of 2014 and  
CWP No.15943 of 2015 (O&M)

Bheem Singh Kashyap and others  
Versus  
State of Haryana and others

Present:- Mr. O.P. Goyal, Senior Advocate with  
Mr. Vijay Singh, Advocate  
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana.

Mr. Anil K. Rana, Advocate for  
Mr. Lokesh Sinhal, Advocate and  
Mr. Jugraaj Kapnor, Advocate for  
Mr. Amar Vivek, Advocate  
for respondent-HUDA

Ms. Shreya Puri, Advocate for  
Mr. Aashish Chopra, Advocate  
For respondents No.9 and 10.

\*\*\*\*\*

On request of learned senior counsel for the petitioners, case is  
adjourned to 30.01.2017.

A copy of this order be placed on the files of other connected  
cases.

(RAJESH BINDAL)  
JUDGE

January 27, 2017  
Vag Dist

(HARI PAL VERMA)  
JUDGE

CWP No.10558 of 2015 and connected cases

Bheem Singh Kashyap and others v. State of Haryana and others

Present: Mr. Govind Chauthan, Advocate,  
Mr. Ashish Verma, Advocate and  
Ms. Shallic Mahajan, Advocate, for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.  
Mr. R.S. Modi, Advocate for the Improvement Trust.  
Mr. Anil K. Rana, Advocate, for HUDA.  
Ms. Niharika Shama, Advocate, for respondents No.9 and 10.  
Mr. Ajay Singh Binjhol, Advocate.

On request of learned counsel for the respondents, adjourned  
to 21.2.2017.

A copy of this order be placed on the file of each connected  
case.

(Rajesh Bindal)  
Judge

(Harinder Singh Sidhu)  
Judge

20.2.2017  
shamila

**Bheem Singh Kashyap and Others Vs. State of Haryana and Others**

Present: Mr. Sandeep Sharma, Advocate  
for petitioners Nos. 1, 16, 17, 18, 19, 20, 24, 25,  
26, 29, 34, 35, 36, 45, 46, 147 and 148.

Mr. Ankur Mittal, Addl. AG Haryana  
Mr. Saurabh Mago, DAG, Haryana.

Mr. Abhinav Sood, Advocate  
for respondents No. 9 and 10.

\*\*\*

It is noticed that writ petition has been filed through Pardeep Singh  
Kashyap stated to be power of attorney holder of the petitioners.

Learned counsel for the applicant/petitioners prays for some time  
to seek instructions as to whether the power of attorney of Pardeep Kumar  
Kashyap has been withdrawn or not.

Adjourned to 14.08.2023,

(LISA GILL)  
JUDGE

(RITU TAGORE)  
JUDGE

May 12, 2023  
Poojari Sharma

108+223 CM-18929-CWP-2023, CM-21049-CWP-2023 &  
CM-6150-CWP-2023 in/and  
CWP-10558-2015

**BHEEM SINGH KASHYAP AND ORS. V/S STATE OF HARYANA AND ORS.**

Present: Mr. Rohan Johar, Advocate and  
Mr. Rohan Moudgil, Advocate for  
Mr. Sandeep Sharma, Advocate for the  
applicants (in CM-6150-CWP-2023).

Mr. O.P. Goyal, Sr. Advocate assisted by  
Mr. Yagank Goyal, Advocate and  
Mr. Mohit Soni, Advocate for the petitioners.  
(applicants in CM-18929-CWP-2023).

Mr. Ankur Mittal, Addl. A.G. Haryana with  
Mr. Saurabh Mago, DAG. Haryana.

Mr. Deepak Sabharwal, Advocate for  
respondent No.3-HSVP.

Mr. Abhinav Sood, Advocate for  
Mr. Achintaya Soni, Advocate for respondents No.9 and 10.

Mr. Ashish Verma, Advocate for respondent No. 11.

\*\*\*\*\*

**CM-18929-CWP-2023**

1. This is an application seeking permission to place on record the latest prevalent policy dated 24.01.2011 regarding release of the land from acquisition proceedings.

2. After arguing for some time, learned counsel for the applicants seeks leave to withdraw the instant application, at this stage, but with liberty to file a better and properly constituted application on behalf of any of the petitioners, if they sign a Vakalatnama in his favour.

3. Dismissed as withdrawn, at this stage, with liberty as prayed for.

**CM-21049-CWP-2023**

1. This is an application filed under Order XXIII Rule 1 read with Section 151 CPC for abandoning part of the claim, as mentioned in Clause (iii) of the prayer clause, and, all references in the amended writ petition relating to Clause (iii) of the prayer clause.

2. Heard.

3. The application is allowed as prayed for, being not opposed by the counsel of the opposite parties.

CM-6150-CWP-2023

1. This is an application seeking deletion of the names of the applicant-petitioners mentioned therein.
2. The application is not opposed, and, is accordingly allowed.
3. The names of the applicant-petitioners mentioned in the present application, are ordered to be deleted from the array of the petitioners in the present writ petition.
2. Requisite corrections be carried out by the Registry of this Court.
3. The amended memo-of parties, if not filed, be placed on record within three weeks.

CWP-10558-2015

1. This Court has perused the *Vakalatnama*, which exists on record. A perusal thereof discloses, that all the writ petitioners have put their signatures thereon, whereby, they constituted Sh. O.P. Goyal, as their counsel for defending their interest in the instant writ petition. In further sequel thereof is that, thereby no necessity becomes encumbered upon the counsel for the petitioners to place on record the original of the Power of Attorney, executed by the petitioners in favour of one Pradeep Singh, Kashyap, whereby, the latter became constituted, as such, to institute the instant writ petition on their behalf.
2. It appears that since in the title of the array of the petitioners there is a reflection, that the petitioners are suing through their Power of Attorney, one Pradeep Singh Kashyap, that thereby an occasion arose for this Court, to make an order upon the counsel for the petitioner, to ensure that the validly appositely executed Power of Attorney be placed on record.
3. However, in the wake of the above, the said reflection in the title of the memo of petitioners appears to arise from a sheer typographical mistake. Consequently, the said typographical mistake, be undone, through the counsel for the petitioner making a correct reflection, in the title of the array of the petitioners, inasmuch as, an application with amended detailing of the complete array of the petitioners, be re-filed in the Registry of this Court, declaring therein that all the petitioners are not suing through Pradeep Kumar Kashyap, but they are suing in their individual capacities.
4. Moreover, it is also, thus, required that the names of all the petitioners, be detailed in the array of the petitioners appertaining to the present writ petition.

5. Heard in part.
6. List for further consideration on 06.02.2024.
7. To be shown in the urgent list.
8. On the said date, learned Addl. Advocate General, Haryana is directed to file a further comprehensive and detailed affidavit to be sworn by the Director of Urban Estates, Haryana, specifically with respect to the *locus standi* of the petitioners, besides, with respect to the validity, and, survivability of the licence, if any, issued in respect of the disputed lands *vis a vis* respondent No.9. Moreover, the said affidavit shall also declare whether respondent No.9, may in case, this Court proceed to decline the writ reliefs, thus, may raise any development activities on the acquired lands.
9. A photocopy of this order be placed on the files of other connected cases.

(SURESHWAR THAKUR)  
JUDGE

(LALIT BATRA)  
JUDGE

January 11, 2024  
Anjal

105 CWP-10558-2015 (O&M)  
CWP-20732-2014 (O&M)  
CWP-15943-2015

BHEEM SINGH KASHYAP AND ORS.

VS

STATE OF HARYANA AND ORS.

Present: Mr. O.P.Goyal, Senior Advocate with  
Mr. Yugank Goyal, Advocate  
for the petitioners.

Mr. Ashish Verma, Advocate  
for the petitioners (in CWP-20732-2014) and  
for respondent No. 11 (in CWP-10558-2015).

Mr. Ankur Mittal, Addl. A.G., Haryana with  
Mr. Saurabh Mago, DAG, Haryana

Mr. Abhinav Sood, Advocate with  
Ms. Achintaya Soni, Advocate  
for respondent No. 6 (in CWP-20732-2014)  
for respondents No. 9 and 10 (in CWP-10558-2015)  
for respondents No. 9 and 10 (in CWP-15943-2015).

Mr. Deepak Sabharwal, Advocate  
for respondents No. 3 to 5 (in CWP-10558-2015).

Mr. Ajay Singh Binjhol, Advocate for  
Mr. Pawao Kumar Hooda, Advocate  
(in CWP-15943-2015).

\*\*\*

1. List as prayed for, on 6.3.2024.
2. A photocopy of this order be placed on the files of other connected cases.

(SURESHWAR THAKUR)  
JUDGE

(LALIT BATRA)  
JUDGE.

February 20, 2024  
Gurpreet

437  
344

CM Nos. 12426-CWP, 12643-CWP, 12733-CWP and 12829-CWP of 2015  
in CWP No. 10558 of 2015

Bheem Singh Kashyap and others Vs. State of Haryana  
and others

Present : Mr. O.P. Goyal, Senior Advocate, with  
Mr. Randeep Singh, Advocate,  
for the applicants-petitioners.

\* \* \*

CM No. 12426-CWP of 2015

Application is allowed.

Amended memo of parties is taken on record.

CM No. 12643-CWP of 2015

To be heard with the main case.

CM No. 12733-CWP of 2015

Application is allowed.

Replication to the joint written statement filed by respondents

No.6 and 8 is taken on record subject to all just exceptions.

CM No. 12829-CWP of 2015

Notice of the application to learned counsel for the respondents  
for October 05, 2015, the date already fixed in the main case.

( SATISH KUMAR MITTAL )  
JUDGE

September 30, 2015  
ndj

( MAHAVIR S. CHAUHAN )  
JUDGE

438

345

113

C.M No. 1293-CWP of 2017 in  
C.W.P. No. 10558 of 2015

Bhoom Singh Kashyap & Ors. Vs. State of Haryana & Ors.

Present:- Mr. Deepak Jindal, Advocate, for the applicants/petitioners.

To be taken up with the main case, which already stands  
admitted.

(RAJESH BINDAL)  
JUDGE

February 21, 2017  
tripti

(HARINDER SINGH SIDHU)  
JUDGE



110

CM No. 1522 of 2017 in  
CWP No. 10558 of 2015

**BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.**

Present : Ms. Shallie Mahajan, Advocate,  
for the applicant-petitioners.

Mr. Ankur Mittal, Addl. AG, Haryana.

Mr. Aashish Chopra, Advocate,  
for respondents No.9 and 10.

Learned counsel for the applicants submitted that she  
may be permitted to withdraw the present application.

Ordered accordingly.

**(RAJESH BINDAL)  
JUDGE**

**(HARINDER SINGH SIDHU)  
JUDGE**

**FEBRUARY 06, 2017**  
shalini

440  
347

102 CM-18403-CWP-2023 IN CWP-10558-2015

BHHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.

Present: Mr. O.P. Goyal, Sr. Advocate with  
Mr. Mohit Soni, Advocate  
for the applicants-petitioners.

Mr. Ankur Mittal, Addl. AG Haryana with  
Mr. Saurabh Mago, DAG, Haryana.

\*\*\*

1. The instant application has been filed for seeking early hearing of the main case.
2. For good and valid reasons recorded in the application, the same is allowed. Main case is ordered to be listed for hearing on 07.11.2023.
3. List along with CM-6150-CWP-2023 in CWP-10558-2015 on 07.11.2023.

(SURESHWAR THAKUR)  
JUDGE

03.11.2023  
lddesh

(KULDEEP TIWARI)  
JUDGE

441  
7348

101 CM-21049-CWP-2023 IN CWP-10558-2015

BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.

Present: Mr. O.P. Goyal, Sr. Advocate with  
Mr. Mohit Soni, Advocate  
for the applicants.

\*\*\*

1. Notice on the application for 11.01.2024, which is the date already fixed in the main case.
2. Mr. Ankur Mittal, Addl. AG Haryana with Mr. Saurabh Mago, DAG, Haryana, waive service of notice on behalf of respondents-State. Mr. Abhinav Sood, Advocate and Ms. Achintya Soni, Advocates, waive service of notice on behalf of respondents No.9 and 10.
3. Reply on affidavit to the application on behalf of the appearing respondents, be instituted within three weeks.

(SURESHWAR THAKUR)  
JUDGE

22.12.2023  
tthbesh

(SUDEEPTI SHARMA)  
JUDGE



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

**112+214 CM-3361-CWP-2016 in/and  
CWP-10558-2015,  
CWP-20732-2014,  
CWP-15943-2015**

**BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.**

Present: Mr. O. P. Goyal, Sr. Advocate with  
Mr. Mukesh Verma, Advocate;  
Mr. Vijay S. Kajla, Advocate for  
Mr. Kulwant Singh, Advocate  
for the petitioner(s).

Mr. Saurabh Mago, AAG, Haryana.

Mr. Lokesh Sinhal, Advocate  
for HUDA.

\*\*\*\*

**CM-3361-CWP-2016 in CWP-10558-2015**

Replication to the joint written statement filed by the  
respondent Nos. 3 to 5 is taken on record, subject to all just  
exceptions.

CM stands disposed of.

**Main Case(s)**

Written statement on behalf of respondent Nos. 7 to 176 in  
CWP No. 20732 of 2014, filed in Court today, is taken on record,  
subject to all just exceptions.

To come up on 25.04.2016 for arguments.

Photocopy of this order be placed on the file of other  
connected cases.

**(AJAY KUMAR MITTAL)  
JUDGE**

**(RAJ RAHUL GARG)  
JUDGE**

**17.03.2016**

wasecm



104

CM-4339-CWP-2017 IN  
CWP-10558-2015BHEEM SINGH KASHYAP AND ORS.  
V/S  
STATE OF HARYANA AND ORS.Present: Mr. Piyush Aggarwal, Advocate  
for the applicants/petitioners.

\*\*\*\*\*

Application is allowed subject to all just exceptions.

( T.P.S. MANN )  
JUDGE( MAHABIR SINGH SINDHU )  
JUDGE08.09.2017.  
smriti



115 CM Nos.5052, 7479 and 7484 of 2016 in  
CWP No.10558 of 2015

---  
Bheem Singh Kashyap and others vs. State of Haryana and others  
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Present : Mr.O.P.Goyal, Senior Advocate with  
Ms.Monika Sharma, Advocate,  
for the applicant-petitioners.  
Ms.Gurpreet Randhawa, Advocate for  
Mr.Aashish Chopra, Advocate,  
for respondent Nos.9 & 10.

\* \* \*

CM No.5052 of 2016

For the reasons mentioned in the application, the same is  
allowed subject to all just exceptions and the document (judgment of trial  
court) is taken on record.

CM stands disposed of.

CM Nos.7479 and 7484 of 2016

To be taken up alongwith the main case.

(SURYA KANT)  
JUDGE

August 01, 2016  
*mohinder*

(SUDIP AHLUWALIA)  
JUDGE

CM-6150-CWP-2023 in CWP-10558-2015

BHEEM SINGH KASHYAP AND ORS. V S STATE OF HARYANA  
AND ORS.

Present: Mr. Sandeep Yadav, Advocate  
for Mr. Sandeep Sharma, Advocate  
for the applicants-petitioners (in CM-6150-CWP-2023).

Mr. O.P.Goyal, Senior Advocate with  
Mr. Sachin Bansal, Advocate  
for the petitioners.

Mr. Ankur Mittal, Addl. A.G., Haryana with  
Mr. Saurabh Mago, DAG, Haryana.

Mr. Deepak Sabharwal, Advocate  
for respondent No. 3 -HSVP.

Ms. Anmol Gupta, Advocate  
for Mr. Ahlinav Sood, Advocate  
for respondents No. 9 and 10.

\*\*\*\*

1. The learned counsel for the applicants-petitioners to place on record the power of attorney, as made by the co-petitioners in favour of one Pardeep Kumar Kashyap. Moreover, if the said power of attorney has been withdrawn thereby the deed of cancellation of the said power of attorney be also ensured to be placed on record on the subsequent date of hearing.

2. List on 07.11.2023.

(SURESHWAR THAKUR)  
JUDGE

(KULDEEP TIWARI)  
JUDGE

18.08.2023  
kavneel singh

446  
353

102 + 223

CWP-10558-2015 (O & M)

BIHEEM SINGH KASHYAP AND ORS. V'S STATE OF HARYANA  
AND ORS.

Present: Mr. Sandeep Sharma, Advocate  
for the applicants-petitioners (in CM-6150-CWP-2023).

Mr. O.P.Goyal, Senior Advocate with  
Mr. Mohit Soni, Advocate and  
Mr. Yugank Goyal, Advocate  
for the petitioner(s).

Mr. Ankur Mittal, Addl. A.G., Haryana with  
Mr. Saurabh Mago, DAG, Haryana.

Mr. Pankaj Kundra, Advocate  
for Mr. Deepak Sabherwal, Advocate  
for respondent- HSVP.

Ms. Achintaya Soni, Advocate  
for respondents No. 9 and 10.

\*\*\*\*

List the application bearing No. **CM-6150-CWP-2023**, for  
hearing along with the main case, on 11.01.2024.

(SURESHWAR THAKUR)  
JUDGE

30.11.2023  
kavneet singh

(SUDEEPTI SHARMA)  
JUDGE

447  
354

110 CM No.8260 of 2018 in  
CWP No.10558 of 2015

---  
Bheem Singh Kashyap and others vs. State of Haryana and others  
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Present : Mr.Aashish Chopra, Advocate,  
for the applicant-respondent No.9.  
Mr.O.P.Goyal, Senior Advocate with  
Mr.Vijay S.Kajla, Advocate,  
for the non-applicant-petitioners.  
\* \* \*

Notice to counsel for the non-applicant-petitioners.

Mr.Vijay S.Kajla, Advocate, accepts notice on their behalf.

List for arguments on 17.07.2018.

(SURYA KANT)  
JUDGE

May 29, 2018  
*mohinder*

(SHEKHER DHAWAN)  
JUDGE

CM.Nos.8260-61-CWP of 2018;  
CM No.8714-CWP of 2018;  
CM No.9041-CWP of 2018 in  
CWP No.10558 of 2015 (O&M)

Bheem Singh Kashyap and others  
vs.  
State of Haryana and others

Present: Mr. Piyush Aggarwal, Advocate  
for the petitioners and  
for the applicants in CM No.9041-CWP of 2018.

Mr. Ankur Mittal, Addl. A.G., Haryana with  
Mr. Manoj Dhankhar, AAG, Haryana.

Mr. Sukldeep Singh, Advocate for  
Mr. Lokesh Sinhal, Advocate  
for respondents No.3 to 5-HUDA.

Ms. Rupa Pathania, Advocate for  
Mr. Ashish Chopra, Advocate  
for respondents No.9 and 10 and  
for the applicants in CM Nos.8260-61-CWP of 2018.

Mr. Ashish Verma, Advocate  
for respondent No.11.

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On request of learned counsel for the State, adjourned to  
26.11.2018.

(RAJESH BINDAL)  
JUDGE

(AMIT RAWAT)  
JUDGE

18.09.2018  
ritu

232 CMs No. 8260-61 of 2018,  
CM No. 8714 of 2018,  
CM No. 9041 of 2018 in  
CWP No. 10558 of 2015

**Bheem Singh Kashyap and others v. State of Haryana and others**

Present : Mr. O.P. Goel, Senior Advocate with  
Ms. Deep Shikha, Advocate, for the petitioners  
for the applicants (in CMs No. 9041, 8714, 10531 of 2018)

Mr. Ankur Mittal, Addl. AG, Haryana

Ms. Rupa Pathania, Advocate, for respondent No.9  
for the applicant (in CMs No. 8260-61 of 2018)

Mr. Ashish Verma, Advocate, for respondent No.11

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Reply filed on behalf of respondents No.1 and 2 is taken on  
record.

Let the Estate Officer-II, Gurugram, remain present in Court to  
explain the reasons for delaying the Court process by not supplying the  
requisite information.

At this stage Umed Singh, JE, HSVP, has appeared and  
supplied copy of the site plan to the learned State counsel.

According to us, this does not satisfy the concern of the Court  
as it has to be supplied to the petitioners as also to the Court. One  
opportunity is granted to the official respondents to file the site plan subject  
to payment of Rs.10,000/- as costs, to be deposited in the account of  
Mediation and Conciliation Centre of this Court.

Adjourned to 24.1.2019.

(MAHESH GROVER)  
JUDGE

(LALIT BATRA)  
JUDGE

26.11.2018  
Ashwani

214 CM Nos.8260-61 of 2018,  
CM No.8714 of 2018,  
CM No.9041 of 2018 in  
CWP No.10558 of 2015

**BHEEM SINGH KASHYAP AND ORS.  
VS  
STATE OF HARYANA AND ORS.**

Present: Mr. Piyushi Aggarwal, Advocate  
for the applicants/petitioner  
(in CMs No.9041, 8714 of 2018)

Mr. Ankur Mittal, Additional A.G., Haryana.

Mr. Lokesh Sinhal, Advocate  
for respondents No.3 to 5.

Ms. Rupta Pathania, Advocate for respondent No.9  
for the applicant (in CMs No.8260-61 of 2018).

Mr. Ashish Verma, Advocate  
for respondent No.11.

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On request of learned counsel for the applicants-petitioner,  
adjourned to 02.07.2019.

An affidavit of Bharat Bhushan Gogia, Estate Officer-II,  
HSVP along with the lay out plan has been produced before us which we  
have perused and taken on record. We notice that a work of importance  
has been held up on account of the status quo order passed by us. The  
laying and connecting of the sewerage pipe has been held up.

We are thus of the opinion that the order dated 25.05.2015  
needs to be modified and while doing so we direct that status quo order  
shall not be construed to be an impediment in connecting the sewerage  
pipe as per the lay out plan.

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358

CM Nos.8260-61 of 2018, :2:  
CM No.8714 of 2018,  
CM No.9041 of 2018 in  
CWP No.10558 of 2015

Presence of Estate Officer-II, Gurugram shall remain  
exempted.

(MAHESH GROVER)  
JUDGE

24.01.2019  
rmpal

(LALIT BATRA)  
JUDGE

452  
359

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CM Nos.8260-61-CWP of 2018, 8714-CWP of 2018 and 9041-CWP of 2018 in CWP No.10558 of 2015

**BHEEM SINGH KASHYAP AND ORS.**

V/S

**STATE OF HARYANA AND ORS.**

Present:- Mr. Piyush Aggarwal, Advocate for  
Mr. OP Goyal, Sr. Advocate, for the applicants-petitioners in  
CM Nos.9041 and 8714 of 2018.

Mr. Ankur Mittal, Addl. AG, Haryana.

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On written request moved on behalf of applicants-petitioners,  
adjourned to 26.8.2019.

**(DAYA CHAUDHARY)**  
**JUDGE**

**(SUDHIR MITTAL)**  
**JUDGE**

**2.7.2019**  
Ranadeep Singh



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CM Nos.8260-61-CWP of 2018, 8714-CWP of 2018 and 9041-CWP of 2018 in CWP No.10558 of 2015

**BHEEM SINGH KASHYAP AND ORS.**

**V/S**

**STATE OF HARYANA AND ORS.**

Present:- Ms. Charanjit Kaur, Advocate for  
Mr. OP Goyal, Sr. Advocate, for the applicants-petitioners in  
CM Nos.9041 and 8714 of 2018.

Mr. Ankur Mittal, Addl. AG, Haryana.

Mr. Aashish Chopra, Advocate with  
Ms. Rupa Pathania, Advocate, for respondent No. 9  
in CM Nos.8260-61CWP of 2018.

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CM No.8260-CWP of 2018

Application is allowed as prayed for.

CM Nos.8261, 8714 and 9041-CWP of 2018

In view of order dated 24.1.2019 passed in the main case, these  
applications have become infructuous.

Dismissed as infructuous.

(DAYA CHAUDHARY)  
JUDGE

(SUDHIR MITTAL)  
JUDGE

26.9.2019  
Ramandeep Singh

454  
361

103+215

CM No.8605-CWP of 2018;  
CM No.10531-CWP of 2018;  
CM Nos.8260-61-CWP of 2018;  
CM No.8714-CWP of 2018 and  
CM No.9041-CWP of 2018 in  
CWP No.10558 of 2015

Bheem Singh Kashyap and others  
vs.  
State of Haryana and others

Present: Mr. O. P. Goyal, Senior Advocate with  
Ms. Deep Shikha, Advocate  
for the petitioners and  
for the applicants in CM Nos.9041, 8714 & 10531-CWP of 2018.

Mr. Ankur Mittal, Addl. A.G., Haryana with  
Mr. Manoj Dhankhar, AAG, Haryana.

Mr. Sukhandeep Singh, Advocate for  
Mr. Lokesh Sinhal, Advocate  
for respondents No.3 to 5-HUDA.

Mr. Aashish Chopra, Advocate,  
Ms. Rupa Pathania, Advocate and  
Ms. Niharika Sharma, Advocate  
for respondents No.9 and 10 and  
for the applicants in CM Nos.8260-61-CWP of 2018.

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On request of learned counsel for the State, adjourned to

18.09.2018.

(RAJESH BINDAL)  
JUDGE

(AMIT RAWAL)  
JUDGE

02.08.2018  
ritu

455  
382

101. C.M. No.8714 of 2018 in  
CWP No.10558 of 2015

**Bheem Singh Kashyap and others Vs. State of Haryana and others**

Present: None for the applicant-petitioners.

Ms. Niharika Sharma, Advocate for  
Mr. Aashish Chopra, Advocate  
for respondent No.9.

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To be heard on the date already fixed in C.M. No.8260 of  
2018. i.e. 17.07.2018.

(RAJESH BINDAL)  
JUDGE

(AMIT RAWAL)  
JUDGE

July 13, 2018  
Pankaj\*

456

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101.

C.M. No.8714 of 2018 in  
CWP No.10558 of 2015

**Bheem Singh Kashtyap and others Vs. State of Haryana and  
others**

Present: None for the applicant-petitioners.

Ms. Niharika Sharma, Advocate for  
Mr. Aashish Chopra, Advocate  
for respondent No.9.

\*\*\*\*\*

To be heard on the date already fixed in C.M. No.8260 of  
2018, i.e. 17.07.2018.

(RAJESH BINDAL)  
JUDGE

(AMIT RAWAL)  
JUDGE

July 13, 2018  
Pankaj\*