

(2026) 08 P&H CK 5064
In the Punjab And Haryana At Chandigarh
Case No : CWP No.10863 of 2026

Baljit Singh

APPELLANT

Vs

State Of Haryana & Ors.

RESPONDENT

Date of Decision : 04-08-2026

Acts Referred:

Constitution of India — Article 226, 227

Citation : (2026) 08 P&H CK 5064

Hon'ble Judges : Vikas Bahl, J;Subhas Mehla, J

Bench : Division Bench

Advocate : Mr. Harkirat Singh, Mr. Deepak Bhardwaj, Additional Advocate General, Haryana

Judgement

VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 09.09.2025 passed by respondent No.4 and for directing the respondents to provide proper way/passage to the agricultural land of the petitioner.

2. On 06.05.2026, a coordinate Division Bench of this Court had passed the following order:

*"Present: Mr. Vikram Singh, Advocate for the petitioner. Mr. Deepak Bhardwaj, Addl. A.G, Haryana. *****

Learned counsel for the petitioner has made a reference to the map, Annexure P-11, to urge that although a passage (marked yellow) has been provided but it does not connect to petitioner's land. It is also his assertion that a 3 meter wide passage provided to petitioner's land is not sufficient for his requirement. Advance copy of the petition has been supplied to the respondents. Learned State counsel seeks time to get specific instructions and file an affidavit. Adjourned to 02.07.2026. 06.05.2026"

3. In pursuance of the said order, the State has filed an affidavit on behalf of respondents No.2 to 5 and 7. Para 7 of the said affidavit reads as under:

7. That as per HSVP prevailing policy dated 08.03.2019 regarding providing rasta it has decided that where in those cases existing revenue rasta has been acquired by HSVP and no approach is available to the owner of released / unacquired land, in such cases HSVP shall provide rasta with width upto maximum of 2-karam (11 ft) free of cost to such land owners.

If the owner of such released / unacquired pocket requests for Rasta in excess of 2 karam (11 feet) width, then the same can be permitted in the following manner :-

a) Applicant shall be required to pay for the differential land (required for rasta in excess of 2-karam width) at 1.5 times the nodal residential plotted rate of the concerned sector, in which the said rasta falls, or of the adjoining sector, in case nodal rate of the concerned sector is not yet fixed. However, ownership of the land under rasta shall remain with HSVP and the rasta shall be a public rasta.

b) In addition any cost of construction of Rasta as determined by the HSVP Engineering Wing shall be chargeable extra.

c) Such a permission for rasta can be granted to the lessee also, in case the lessee has a lease deed of minimum 30 years in his / her favour and submits an undertaking / NOC from the land owner for the rasta. The copy of policy dated 08.03.2019 is annexed as Annexure-R-3"

4. Learned counsel for the petitioner has submitted that apparently the respondents have a policy, as per which, in case the petitioner requires a *rasta* in excess of 2 karam width, then the petitioner is required to pay for the differential land. Learned counsel for the petitioner has submitted that the petitioner is ready to pay the amount as per the said policy but has, however, submitted that it would be in the best interest of all in case the said additional land is given very close to the *rasta* which is already provided. It is submitted that for the said purpose, the petitioner would give a representation to the Estate Officer, HSVP, Jind and has submitted that the Estate Officer, HSVP, Jind be directed to consider the same in a time bound manner and in case the pleas raised by the petitioner are found to be true, then to grant the petitioner the necessary relief. Learned counsel for the petitioner has submitted that the petitioner be also granted an opportunity of hearing.

5. Learned counsel for the respondents has submitted that in case the petitioner moves a representation/application, the same would be considered and decided by respondent No.7 within a period of three months from the date the said representation/application is received.

6. Keeping in view the abovesaid facts and circumstances and the fair stand taken by learned counsel for the petitioner as well as learned counsel for the respondents, the present petition is disposed of with the following observations/directions:

(i) It would be open to the petitioner to move a representation/application to the Estate Officer, HSVP, Jind, by relying upon the policy dated 08.03.2019.

(ii) In case any such representation/application is filed, the Estate Officer, HSVP, Jind, would consider the same in accordance with law as expeditiously as

possible preferably within a period of three months from the date of receipt of the said application after giving due opportunity to the petitioner.

(iii) In case, respondent No.7 finds that the pleas raised by the petitioner are meritorious, then, necessary relief would also be granted to the petitioner expeditiously.

7. It is made clear that this Court has not opined on the merits of the case and respondent No.7 would consider and decide the representation/application independently.