



CWP-11455-2026

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

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CWP-11455-2026

Date of Decision: 13.05.2026

Charan Kaur

...Petitioner

Versus

Union of India &amp; others

...Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Ms. Maloo Chahal, Advocate, for the petitioner.

Mr. Sushant Kareer, Mr. Sukhleen and Mr. Jaskaran Singh,  
Advocates, for respondents No.1, 2 & 4-UOI.

Mr. Ishan Kaushal, AAG, Punjab.

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**JAGMOHAN BANSAL, J.** (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to provide alternative passage to her land situated at Village Shambhu Khurd, Tehsil Rajpura, District Patiala in view of order dated 26.10.2023 passed by Sub-Divisional Magistrate, Rajpura ('SDM').

2. The petitioner is 83 years old senior citizen. She claims that her land was acquired in May' 2013 by the Railways Department. No passage was given to cultivate her land. She pursuant to order dated 06.12.2016 passed by this Court approached Deputy Commissioner, Patiala. Matter was marked to SDM who held a meeting on 26.10.2023 and directed Deputy Project Manager/Engineer-3, DFCCIL, Ambala to provide passage to her land. She again approached SDM who vide order dated 22.12.2023 noted that the department has refused to provide the passage but asked the Railways



Department to provide her suitable passage as per Rules. Inaction on the part of authorities propelled her to serve Legal Notice dated 05.02.2024 upon official respondents asking them to comply with order dated 26.10.2023.

3. Learned counsel for respondents No.1, 2 & 4-UOI submits that petitioner is already having passage. Her land is abutting the road. As road is elevated, the petitioner is supposed to get done earth work. To avoid earth work, she is praying for private passage.

4. The issue raised by the petitioner is a purely disputed question of fact. Evidence needs to be recorded. This Court in exercise of writ jurisdiction cannot adjudicate disputed question of fact.

5. Disposed of with liberty to the petitioner to avail remedy as permissible by law.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**13.05.2026**

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |