

CWP No.14862 of 2016

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

**CWP No.14862 of 2016
Date of decision:28.07.2016**

Dr. Rakesh Goyal and others

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. H.C.Arora, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioners are the residents of Rajguru Nagar, Ludhiana. It is alleged that a Development-cum-Housing Accommodation and Expansion Scheme over an area of 129 acres, situated within and outside the Municipal Corporation limits of Ludhiana city was sanctioned under the Punjab Town Improvement Act, 1922. It is further alleged that at the instance of respondent No.3, respondent No.1 has issued a letter dated 14.03.2005 to the Executive Officer, Improvement Trust, Ludhiana, conveying the agreement of the Government for giving the land measuring 2000 square yards in the Rajguru Nagar, Ludhiana for construction of Old People Home.

The grievance of the petitioner, as narrated in the petition, is that the land, allotted to respondent No.3 was once lying vacant, has been converted by the local residents themselves into a park. The petitioners are

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against the construction of the Old People Home in the land in question.

It is interesting to note that when the Registry of this Court raised an objection about interest of the petitioners to file the present petition, it has been re-filed with the note that "*it is not PIL-The interest of petitioners is that Old Age Home is being constructed just opposite their houses*". Actually this is the reason because of which the present petition has been filed and not the reason which has been given in the petition that the Old People Home is being constructed over the land of the park, which was otherwise not reserved for the purpose of park even in the Scheme.

It is needless to mention that the Old People Home is the requirement of the present times and the petitioners should not have any objection if it is being constructed in front of their houses or in their locality.

In view of the aforesaid observations, I do not find any reason to interfere in the present petition and hence, the same is hereby dismissed.

July 28, 2016
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(Rakesh Kumar Jain)
Judge