

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CWP No.18007 of 2016
Date of decision:1.9.2016

Kali Mata Mandir, Madhopur through its Karta

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Vishal Aggarwal, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the initiation of ejectment proceedings under Section 5 of the Public Premises (Eviction of unauthorized occupants) Act, 1971 (for short 'the Act') vide Annexure P-7, petitioner has approached this Court by way of present writ petition.

During the course of hearing, when asked as to what is the cause of action which entitles the petitioner to approach this Court at this point of time, learned counsel for the petitioner had no answer and rightly so, it being a matter of record. However, learned counsel for the petitioner has pointed out and shown a copy of notice issued to the petitioner by the competent authority on the ejectment application (Annexure P-7) to which the petitioner has already submitted to the jurisdiction of the competent authority under the Act and has also filed its reply. Thus, as per own showing of the petitioner, the ejectment proceedings are going on. No ejectment order has been passed so far. Even if any ejectment order is passed that shall be appealable under the relevant provisions of law.

In view of the above, there is no cause of action in favour of the petitioner to approach this Court, at this stage, by way of instant writ petition. The writ petition is wholly misconceived, bereft of merit and without any substance. Thus, it must fail. No case for interference has been made.

Dismissed.

1.9.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No