

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

Civil Writ Petition No. 4569 of 2015

Date of Decision: 27.7.2016

Albel Singh and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. H.S. Dhindsa, Advocate
for the petitioners.

Mr. B.M. Vinayak, DAG, Punjab.

Mr. Harsh Aggarwal, Advocate
for respondents No. 2 and 3.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the construction of Suvidha Centre, allegedly in the green belt, at the hands of respondent-Municipal Corporation at Dhandari Kalan, petitioners have approached this Court by way of present writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus, directing the respondent-Municipal Corporation to stop construction activities.

Notice of motion was issued and pursuant thereto, reply has been filed on behalf of the respondent-Municipal Corporation.

After hearing learned counsel for the parties at some length, this Court has found no illegality in the action of the respondent-Municipal Corporation in constructing Suvidha Kendra which is meant for providing different kind of facilities to the residents of the area, including the

petitioners, at their door step.

Learned counsel for the respondent-Municipal Corporation has rightly pointed out that total area available was measuring 67,500 sq. feet out of which Suvidha Kendra has been constructed only on a small piece of land measuring 900 sq. feet by spending an amount of ₹14,19,000/-. He also submits that Suvidha Kendra was constructed on the basis of repeated requests made by residents of the area.

In view of the above, no prejudice of any kind, whatsoever, has been caused to the petitioners. In fact, instant one was an avoidable litigation. In the facts and circumstances of the case, petitioner would not have any locus standi to file and maintain the present writ petition because the respondent-Municipal Corporation has raised the construction of Suvidha Kendra, in the larger public interest.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present writ petition is misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

With the abovesaid observations made, present writ petition stands dismissed, however, with no order as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

27.7 .2016
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Whether speaking/reasoned
Whether reportable: Yes/No