

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

CWP No. 693 of 2014 (O&M)

Date of decision : 9.2.2016

Dr. Krishan Thakur

.. Petitioner

versus

State of Punjab and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Vikas Bahl, Senior Advocate with
Ms. Balpreet Sidhu, Advocate, for the petitioner.
Mr. Anil Sharma, Additional Advocate General, Punjab.
Mr. Sandeep Khunger, Advocate, for respondent nos. 3 and 4.
Mr. J. P. Rana, Advocate, for the applicant
in CM No. 5949/2014

Rajesh Bindal, J.

The petitioner has approached this Court seeking a direction to the respondents to implement the decision of the Government dated 1.4.2013 vide which sanction was granted for sale of plot located adjoining to the house of the petitioner.

The stand of the petitioner is that the Municipal Corporation is not implementing the decision of the Government.

The stand taken by the applicant is that a Public Interest Litigation was filed in this Court bearing CWP No. 4886 of 2003 Court on its own motion vs State of Punjab and another, seeking a direction to the Municipal Authorities to remove the encroachment from the public place. In the aforesaid writ petition, vide judgment dated 4.10.2008, certain directions were issued regarding portion of the land, sale of which has been prayed for by the petitioner in the present writ petition. The petitioner filed COCP No. 156 of 2011 Dr. Krishan Thakur vs S. S. Rajput alleging that encroachments from that portion of land had not been removed. As a consequence, the encroachments were removed. It was thereafter that the petitioner moved application for sale of that land to him.

After hearing learned counsel for the parties, I do not find any reason to interfere in the present writ petition. Firstly, this Court is not an executing Court for executing an administrative order passed. Secondly, in view of the facts, as have been pointed out by counsel for the applicant, it is evident that the portion of plot, sale of which has been prayed for by the petitioner, was got vacated by him in the process of a Public Interest Litigation in this Court. Meaning thereby, he was interested party. The Court will not become a party to the design of the petitioner to purchase the government property.

The petition is dismissed.

9.2.2016
vs

(Rajesh Bindal)
Judge