

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

Civil Writ Petition No.2053 of 2015 (O&M)
Date of Decision: February 07, 2017

Inderpreet Singh Anand

...Petitioner

Versus

The State of Punjab & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

Present: Mr.Kamaldeep Singh Sodhi, Advocate
for the petitioner.

Mr.Yatinder Sharma, Addl.A.G.Punjab,
for the State.

Mr.Rajiv Joshi, Advocate,
for respondent No.2.

Mr.Gaurav Sharma, Advocate for
Mr.Amit Chopra, Advocate,
for the applicants.

AMIT RAWAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India for directing the official respondents to take legal action against private respondent Nos.3 to 6 with a further direction to remove illegal encroachment from public street, which is causing huge hindrance to general public, including the petitioner from carrying their day-to-day work.

Mr.Rajiv Joshi, learned counsel representing respondent No.2 submits that respondent Nos.3 to 6 have already filed a Civil Suit bearing No.1092 of 2016 and the same is pending before the trial Court and,

therefore, the relief sought in the present writ petition cannot be granted.

In view of the aforementioned fact, once respondent Nos.3 to 6 have already availed the remedy, the prayer sought in the present petition cannot be entertained at this stage. The petitioner shall be at liberty to move an appropriate application for becoming a party in the pending suit in case the trial Court finds him to be proper and necessary party.

Writ petition stands disposed of with the aforementioned observations.

February 07, 2017
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No