

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

CWP-1783-2018 (O&M)

Date of decision:- 19.07.2018

Krishan Lal Gera

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE ARUN PALLI**

Present:- Mr. Rajwant Singh Chahal, Advocate,  
for the petitioner.

\* \* \* \*

**KRISHNA MURARI, C.J. (ORAL)**

CM-9378-2018

Leave is granted to place on record material as Annexure P-11 showing the contribution made by the petitioner for public cause and the application is allowed.

CWP-1783-2018

Notice of motion.

Mr. Deepak Balyan, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of all the respondents.

This writ petition in the nature of Public Interest Litigation has been filed raising a grievance with respect to non-action on the part of the respondent-authorities regarding large scale unauthorized, unplanned and haphazard encroachments and constructions made in the entire Faridabad especially on public and government land.

2. From the record, we find that the petitioner had earlier also approached this Court by filing a Public Interest

Litigation being CWP-13508-2006. A Division Bench of this Court after monitoring the matter for some time and looking into the status report submitted by the Municipal Corporation, Faridabad, disposed of the petition on 26.09.2014 by making the following observations:-

*"We are satisfied with the action being taken by the officials of the Municipal Corporation, Faridabad. Thus, in view of the latest status-report, we order for closure of this case.*

*It is, however, directed that in the event of any fresh encroachments/unauthorized constructions being noticed in the NIT Zone, the petitioner would be at liberty to file a representation bringing the same to the notice of the municipal authorities who shall swing into action promptly to remove the encroachments/unauthorized construction. The Municipal Corporation, Faridabad is also directed to co-ordinate with the HUDA authorities for removal of encroachments/unauthorized constructions. In case the petitioner is not satisfied with the action taken by the respondent-authorities, he shall be at liberty to file a fresh petition."*

3. Now the grievance of the petitioner is that in pursuance to the aforesaid order passed by the Division Bench, though he made various representations before the municipal and other authorities, but till date, no action has been taken which has compelled him to approach this Court again.

4. The issue being raised in this writ petition again is of public importance which ultimately has to be tackled by the Municipal Corporation and the other relevant authorities of the local limits.

5. Mr. Balyan, learned Additional Advocate General, Haryana, at this stage, made a statement before us that the

relevant authorities shall look into the representation(s) made

by the petitioner and take immediate action in case the allegations made therein are found to be correct.

6. In view of the aforesaid statement made by learned Additional Advocate General, Haryana, we need not keep this petition pending in this Court any further and the same stands disposed of with the direction to the respondent-authorities to consider and take appropriate legal steps on the representation(s) already made by the petitioner or in case he makes any fresh representation(s) bringing to the notice of the authorities the current factual situation highlighting the illegal and unauthorized encroachments and constructions in accordance with law.

7. Liberty is given to the petitioner to make an application for revival of this petition in case he finds that there is no progress in the matter and no action is being taken by the respondent-authorities.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

19.07.2018  
Amodh

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |