

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

CWP No.24346 of 2018
Date of decision: 24.9.2018

Raj Bala

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Sachin Kaushik, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents no.1 to 5 not to dispossess the petitioner on account of the fact that she is ready to purchase the land by paying the requisite amount as per rules.

It is not disputed that on an earlier occasion the petitioner was unsuccessful in getting the ejectment order set aside before the Division Bench.

Counsel could not point out from the record as to whether the respondents have even been approached for the relief which is now sought. It is settled principle that the writ of Mandamus is not liable to be issued if the respondents have not been approached and there is no denial on their part and a writ would only be issued if there is inaction on their part. In such circumstances, the present petition is not maintainable.

Accordingly, the same is dismissed in limine.

At this stage, counsel for the petitioner prays for liberty to approach the competent authority.

Ordered accordingly.

September 24, 2018
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No