

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

CWP-27839-2018

Date of decision: 30.10.2018

Sukhraj Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.SL Chander Shekhar, Advocate for the petitioner

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to stop the encroachers from encroaching the public street by constructing a wall on the same.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.2- Director, Rural Development and Panchayats, Punjab to consider and decide the representation dated 5.6.2018 (Annexure P-2).

Notice of motion.

On the asking of the Court, Mr.Vikas Mohan Gupta, Addl.AG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State counsel in the Court.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.2-

Director, Rural Development and Panchayats, Punjab to consider and decide the representation dated 5.6.2018 (Annexure P-2) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

30.10.2018
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No