

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-4092-2018 (O&M)

Date of decision:- 11.07.2018

Rakesh Mehta

...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. Subhash Godara, Advocate,  
for the petitioner.

\* \* \* \*

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

Heard learned counsel for the petitioner.

A perusal of the order sheet indicates that when this petition was presented for the first time on 21.02.2018, a Division Bench of this Court passed the following order:-

*"Learned counsel for the petitioner prays for time to place on record the master plan and also the demarcation made on the basis of the Financial Commissioner's standing order to, prima facie, substantiate the averments made in the writ petition. Learned counsel shall also apprise the Court about the maintainability of the present petition by way of public interest litigation under the Maintainability of Public Interest Litigation Rules, 2010.*

*To come up on 08.03.2018, as prayed."*

2.           Thereafter, the petition came to be listed on 08.03.2018, 25.04.2018 and 10.07.2018 when it was adjourned at the behest of learned counsel for the petitioner.

3.           Today, when the matter is called out, initially an adjournment was being sought which was refused. Then a prayer

was made to permit withdrawal of the public interest litigation with liberty to file a fresh one. It was observed that in that eventuality since the petition has been filed in a very irresponsible manner, some heavy cost be deposited by the petitioner. Then only he will be permitted to file a fresh petition to which learned counsel for the petitioner is not ready. On merits, we find that this petition has been presented without even placing on record the documents to substantiate allegations and averments on which the petition is based. Time granted to substantiate the same by filing the documents has been of no avail since the required documents have not been filed. Learned counsel for the petitioner has also not been able to satisfy us with respect to the maintainability of this public interest litigation under the Maintainability of Public Interest Litigation Rules, 2010. Thus, we have no option, but to dismiss the writ petition.

4. The writ petition is accordingly dismissed.

**(KRISHNA MURARI)**  
**CHIEF JUSTICE**

**(ARUN PALLI)**  
**JUDGE**

**11.07.2018**

Amodh

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