

**CWP No. 10155 of 2019
DECIDED ON: MAY 27, 2019**

SURJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH, JUDGE
HON'BLE MR. JUSTICE AVNEESH JHINGAN, JUDGE**

Present: Mr. Hardeep Singh, Advocate for
Mr. Vikram Singh, Advocate
for the petitioner.

Ms. Anu Pal, DAG, Punjab.

JASWANT SINGH, J (ORAL)

Petitioner is a resident of village Tanda Churia, Tehsil Mukerian,
District Hoshiarpur.

By filing the present writ petition, he is seeking a mandamus for the
removal of encroachment made by Nanak Singh son of Kirpal Singh/respondent
No.5 from a public street comprised in Khasra No. 44, measuring 1 kanal 8
marlas, which allegedly leads to his fields.

State counsel was directed to seek instructions, as to why no action
had been initiated under Section 34 of the Punjab Panchayati Raj Act, 1994, for
the removal of encroachment from public street.

State counsel, on instructions from Mr. Hira Singh, Block Development and Panchayat Officer, Mukerian submits that there does not exists any public street in the afore-said khasra No.44 of the village, in fact it is recorded as '*Gair Mumkin Dher*' i.e. dumping ground. Hence, the prayer is mis-conceived.

In view of the afore-said factual position, no further adjudication or direction is required.

Dismissed.

(JASWANT SINGH)
JUDGE

MAY 27, 2019
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>