

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

CWP-10975-2019

Date of decision: 29.4.2019

Mehar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Siddharth Gupta, 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 direction to respondent Nos. 1 to 5 to remove illegal encroachment made by respondent No.6 by constructing a room in between the 40 feet road, adjoining to the house of the petitioner.

Learned counsel for the petitioner states that at this stage he would be satisfied, if a direction is issued to respondent No.4 Commissioner, Municipal Corporation, Bathinda to consider and decide the application / representation dated 10.10.2017 (Annexure P-3) expeditiously.

Notice of motion.

At 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 him in the Court.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.4

Commissioner, Municipal Corporation, Bathinda to consider and decide the application / representation dated 10.10.2017 (Annexure P-3) within six weeks from the receipt of the certified copy of the judgement. 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.

29.4.2019
gsv

[JITENDRA CHAUHAN]
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No