

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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CWP No.21924 of 2019

Date of decision : 21.08.2019

Balwinder Kumar and others

... Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr.Sanjiv Kumar Aggarwal, Advocate
for the petitioners.

Mr.Vikrant Pamboo, DAG, Haryana.

Mr.Sunil Dhanda, Advovate for
Mr.Deepak Manchanda, Advocate
for respondent Nos. 2 and 3.

Jitendra Chauhan, J. (Oral)

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 for directing respondent Nos. 2 to 4 to stop illegal construction being raised by respondent Nos.5 and 6 on the common passage and the main road falling in the municipal area.

Learned counsel for the petitioners states that at this stage he would be satisfied, if a direction is issued to respondent No.4- Deputy Commissioner, Ambala to consider and decide the representations dated 9.7.2019 (Annexures P-4 and P-5) expeditiously.

Heard.

A complete set of paper book has been handed over to Mr. Mr.Vikrant Pamboo, DAG, Haryana, in the Court today.

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.4-Deputy Commissioner, Ambala to consider and decide the representations dated 9.7.2019 (Annexures P-4 and P-5) within four weeks from the receipt of the certified copy of the judgment. In case order with regard to removing of encroachment is passed by the Municipal Corporation, the respondents shall ensure that the encroachments are removed and the entire area is restored to its right position. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of four weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter, in accordance with law.

[JITENDRA CHAUHAN]
JUDGE

21.08.2019

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No