

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

**CWP-29238-2019(O&M)
Date of decision-14.10.2019**

Roshan Lal Kataria

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Aditya Bhushan, Advocate
 for the petitioner(s).

Mr. Ayuwan Singh, A.A.G., Haryana.

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 remove the unauthorized encroachment from the street marked as ABCD in Annexure P-5.

Learned counsel for the petitioner states that at this stage, he would be satisfied, if a direction is issued to respondent No.2-Deputy Commissioner, Kurukshetra to consider and decide the application dated 19.08.2019 (Annexure P-6).

Heard.

A complete set of paper book has been handed over to Mr. Ayuwan Singh, A.A.G., 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 No.2-Deputy Commissioner, Kurukshetra to consider and decide the application dated 19.08.2019 (Annexure P-6), in case, the encroachment is found as asserted by learned counsel for the petitioner, the same shall be removed after affording an opportunity of hearing to the parties as per law, within six weeks from the receipt of the certified copy of the judgment . However, in case the competent authority feels that the request made by the petitioner is not admissible, in that case, a speaking order be passed in the matter.

14.10.2019*ps-I***(JITENDRA CHAUHAN)
JUDGE**

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