

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

COCF No. 2036 of 2015

Date of Decision: 22.07.2019

Sukhpal Singh

.....Petitioner

Versus

Surjit Singh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. H.S. Saggu, Advocate
for the petitioner.

Mr. Vikrampreet Arora, Advocate
for respondents No. 1 and 2.

Mr. Rajesh Narang, Advocate
for respondent No.11.

Mr. Sanjeev Goyal, Advocate
for respondents No.4,5,7,8 and 12.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 9.7.2013 passed in CWP No. 4559 of 2007.

The operational part of the order is reproduced below:

"Taking note of facts & circumstances, we dispose of this writ petition by issuing directions that the Departments of Town & Country Planning and also the Forest Department in both the States, shall appoint a Senior Government Officer as a Nodal Officer, who shall check out such like illegal construction on the roadside and take action against unauthorised construction/carving out of un-authorised passage through the Forest Land on the roadside. Name and designation etc. be referred on the official web sites of the above departments.

So far as area falling in the Municipal limits is concerned, the States are directed to issue directions to the Municipal Councils to take action as per law.

It is further directed that if any complaint is received by the Nodal Officer so appointed, regarding unauthorised construction and/or carving out of unauthorised passage through the Forest Land abutting the road, immediate action shall be initiated.

The State shall do the needful within 2 months from the receipt of a copy of this order."

On the last date of hearing, time was granted to place on record the compliance report.

Today compliance report has been filed in Court. Copy given to counsel for the petitioner. As per the said report, eleven unauthorised permanent encroachments has been removed from the schedule road and notices has been issued to 143 persons under the Punjab Regional and Town Planning and development Act, 1995 having violated the schedule road in which the proceedings are going on.

Learned counsel for the respondents No.1 and 2 states that needful will be done expeditiously.

In view of the statement made, learned counsel for the petitioner states that no cause of action survives in pursuing the present contempt petition. However, he seeks liberty to bring to the notice of the respondents any other encroachment which requires action by the respondents.

Disposed of as infructuous with liberty as prayed for. There is no doubt that in case encroachments are brought to the notice of the respondents, they would taken action in accordance with law as expeditiously as possible.

22.07.2019
reema

(AVNEESH JHINGAN)
JUDGE