

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

CWP-(PIL)-4-2019 (O&M)  
Date of decision:- 10.01.2019

Daya Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE ARUN PALLI**

Present:- Mr. Ashwarya Bajaj, Advocate,  
for the petitioner.

\* \* \* \*

**KRISHNA MURARI, C.J. (ORAL)**

Notice of motion only to respondents No. 1 to 6 at  
this stage.

Mr. Sharad Aggarwal, learned Assistant Advocate  
General, Haryana accepts notice. Copies furnished.

In the nature of the order we propose to pass, no  
counter affidavit/written statement on behalf of the official  
respondents is indeed necessary at this stage. Thus, with the  
consent of the parties, the petition is being disposed of  
finally.

2. The petitioner, who is a resident of village  
Saidpura, Tehsil and District Karnal, purports to have  
approached this Court in public interest and prays for a  
mandamus commanding the official respondents to take suitable  
action in terms of the order dated 07.09.2018 passed by the  
Commissioner, Municipal Corporation, Karnal exercising powers  
under Section 408-A of the Haryana Municipal Corporation Act,  
1994. The limited grievance that the petitioner has is that

even though the private respondents were found to have encroached and raised unauthorized construction upon the disputed site and the order having been passed for its demolition, no tangible result has emerged. It is submitted that even the legal notice dated 27.09.2018, the official respondents were served with, has failed to evoke any response.

3. As to this, learned State counsel submits that let this petition be disposed of, at this stage, only with a direction to the respondent-authorities to deal with the grievance of the petitioner and pass appropriate orders.

4. In the wake of the above, the petition is disposed of with a direction to the respondent-authorities to consider and deal with the grievance of the petitioner as also the legal notice dated 27.09.2018 and pass appropriate orders in accordance with law within a period of eight weeks from today after affording due notice and opportunity of hearing to all the stake holders.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

10.01.2019  
Amodh

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |