

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

CWP-24663-2019 (O&M)

Date of Decision: February 27, 2020

SURJIT SINGH

..... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Deepak Sabherwal, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. Karanvir Singh, Advocate
for respondent no.4.

None for respondent no.5.

LISA GILL, J.(Oral)

Prayer in this writ petition is for issuance of a writ, directing respondents no.1 to 4 to take action against respondent no.5, who is stated to be indulging in illegal and unlawful activities of creating hindrance and obstruction in the public park located in the Modern Valley, Jain Mandir Road, Attewali, District Fatehgarh Sahib (Punjab).

Specific directions, it is stated, had been issued vide orders dated 29.03.2019 (Annexure P-7) and 02.05.2019 (Annexure P-8) but no action was being taken. Vide order dated 02.05.2019, application under Section 133 Cr.P.C. filed by the petitioner had been allowed with a direction to respondent therein to remove the unauthorized structure/hindrances from the park.

Short reply by way of affidavit dated 11.12.2019 of Sanjeev Kumar, S.D.M., Fatehgarh Sahib filed in Court today as well as the written statement on behalf of respondent no.4 is taken on record, subject to just exception.

Learned counsel for the State points out that this writ petition has been rendered infructuous in view of the specific averments in para 5 of affidavit dated 11.12.2019 of Sanjeev Kumar, S.D.M., Fatehgarh Sahib. It is specifically stated that the illegal construction raised by respondent no.5 at Morderen Valley has been removed. The spot was visited by the Tehsildar, Fatehgarh Sahib alongwith Field Kanungo, Halqa Patwari, employees of the Police Department, P.S. Fatehgarh Sahib as well as the employees from the office of the Executive Officer, Sirhind-Fatehgarh Sahib. It is further stated therein that at the time of removal of these constructions neither respondent no.5 nor any other person, present on the spot, raised any objection. Present writ petition, it is submitted, is thus rendered infructuous.

Learned counsel for the petitioner does not dispute the above said facts.

Writ petition is accordingly disposed of as infructuous.

27.02.2020

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No