

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3791-2021

Date of decision : 18.02.2021

Umed Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA***

Present: Mr.Surinder Singh Duhan, Advocate
for the petitioner.

(Proceeding through Video Conferencing)

AUGUSTINE GEORGE MASIH, J.

Petitioner has approached this Court praying for issuance a writ of mandamus directing the respondents to remove the illegal construction / encroachment made by the residents of House No.3522, 3523, Urban Estate, Jind and other residents of Urban Estate, Jind, by way of constructing *chabutras* in front of the houses, rooms in the backyard of the houses on the road and opening the gate in the rear wall which is in violation of approved sanction plan under the Haryana Shehari Vikas Pradhikaran Act, 1977 (as amended upto date).

It is asserted that earlier a decision has been taken by the respondents by passing a cryptic order. In regard to that assertion, petitioner has earlier approached this Court by filing CWP no.35083 of 2019 “Umed Singh vs. State of Haryana and others”. The said writ petition was disposed of by this Court vide order dated 17.01.2020 (Annexure P-1)

by setting aside the said communication / order of the respondents. Petitioner after setting aside the said order, has been approaching the respondents for redressal of his grievance which has not been responded to. Even notice through counsel dated 25.11.2020 (Annexure P-4) served upon respondent no.3- Estate Officer, Haryana Shehari Vikas Pradhikaran, Jind, has till date not been decided nor any action taken against the illegal occupants / encroachers. It is, therefore, contended that at this stage, petitioner would be satisfied if direction is issued to respondent no.3- Estate Officer, Haryana Shehari Vikas Pradhikaran, Jind, to consider and decide the legal notice dated 25.11.2000 (Annexure P-4) and take action thereon within some specified time.

Without going into the merits and commenting thereupon, the present petition is disposed of with a direction to respondent no.3-Estate Officer, Haryana Shehari Vikas Pradhikaran, Jind, to consider and decide the legal notice dated 25.11.2000 (Annexure P-4) within a period of four weeks. The decision taken thereon shall be conveyed to the petitioner forthwith. In case some substance in the legal notice are found to be correct, consequential action shall be taken in accordance with law, within a further period of four weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

February 18, 2021

Davinder Kumar