

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.7946 of 2021 (O&M)

Decided on : 08.04.2021

Jagan Nath

.... Petitioner

Versus

State of Punjab and Others

... Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Varinder Sandhir, Advocate
for the petitioner.

Ritu Bahri, J. (Oral)

Case is taken up for hearing through video conferencing.

The petitioner is seeking direction to respondent Nos. 3 to 5 to take action against the private respondent No.8, who has destroyed the public street of the village and illegally possessed the street. Learned counsel for the petitioner refers to site plan (Annexure P2) in which red color represents the encroachment made by the respondent No.8. Even, earlier an attempt was made by respondent No.8 to encroach the street and on making a representation to the Deputy Commissioner, the encroachment was removed vide order dated 10.12.2018 (Annexure P6) whereby the BDPO, Garhshankar has informed the Addl. Deputy Commissioner, Hoshiarpur in which he has stated that after doing spot inspection illegal possession was removed .

The grievance of the petitioner is that now again after a gap of two and a half years, the encroachment has again been done by respondent No.8. The petitioner has given a detailed representation dated 18.01.2021 (Annexure P7) giving the above said facts to Deputy Commissioner, Hoshiarpur as well to the

Addl. Deputy Commissioner, Hoshiarpur.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab accepts notice on behalf of the State.

Without expressing any opinion on the merits of the case, the petition is being disposed of giving directions to respondent Nos. 3 and 5 to pass a speaking order on representation (Annexure P7) and a spot inspection be carried out. After verifying the contents, appropriate steps be taken, in accordance with law.

This exercise be carried out within a period of four weeks from the date of receipt of certified copy of this order.

Disposed of.

8th April, 2021
Sonia Puri

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No