

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

**CRM-M-16339 of 2022
Date of Decision:- 25.04.2022**

Manish Kumar and others

....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J.(Oral)

Prayer in this petition is for issuance of an appropriate direction to respondents No.2 and 3 to stop the construction of park by respondent No.4 in the land of Canal Department, where water pond is already existing, which is being used by the residents of the village.

The counsel for the petitioner contended that the Gram Panchayat of village Salhani is planning to develop a park in the land in question which is owned by Canal Department and the gram panchayat is also trying to encroach the land of Canal Department.

The counsel for the petitioner further submitted that the police failed to take any action in this regard, despite the fact that

representation, Annexure P-4 dated 11.3.2022 was given to the District Magistrate. The counsel further submitted that he will be satisfied if necessary direction is given to the concerned authority to consider the aforesaid representation in a time bound manner. The counsel further submitted that he will file similar representation to respondent No.2 within next 10 days and further made prayer that direction be given to the District Police Head to consider the said representation within a given time frame, in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Samina Dhir, DAG Punjab accepted notice on behalf of the official respondents.

The State Counsel submitted that in case any such representation is filed by the petitioner within next 10 days, the concerned authority will take action on the same in accordance with law.

In light of the above, the present petition is hereby disposed of without commenting on merits with liberty to the petitioner to submit representation with regard to construction of park by respondent No.4 in the land of Canal Department, within next 10 days, with direction to respondent No.2 to consider and decide the same in accordance with law, within next two months thereof.

25.04.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No