

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

284

CWP-5342-2016 (O&M).

Date of Decision: 09.11.2022.

Joginder Singh and others

..Petitioners

VERSUS

The State of Punjab and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present None for the petitioner.

Mr. Sanjay Sabharwal, Addl. A.G. Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, praying for issuance of a writ in the nature of mandamus directing the respondents to construct service road by following the demarcation taken from the centre/middle of the land under the ownership of the road.

Written statement in the present case had been filed in the month of June, 2016 as per which the construction of the road at village Lambi from KMs 328.00 to 329.00 of NH-10 DHS road Section Dabwali-Malout at Village Lambi by the Ministry of Road Transport and Highways. The petitioner is stated to have illegally encroached upon the Government land causing hurdles and obstructions in the construction work. It is also stated in the written statement that three demarcations have also been conducted by the revenue Department on 15.07.2015 (Annexure P-1),

14.08.2015 (Annexure P-3) and 14.06.2016 (Annexure R-1) which were against the petitioner. It is also pointed out that demarcation has been conducted fairly and the site plan of the area shows the existing position of the road as per which, it is evident that alignment of the land has not been changed or diverted as alleged.

No replication controverting the aforesaid facts has been filed.

Since there is no representation on behalf of the petitioner and the matter has remained pending on account of the requests made by the petitioner, it seems that the petitioner has no subsisting interest in the present petition. The same is accordingly dismissed for non-prosecution.

November 09, 2022.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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