

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

116

CWP No.814 of 2022

Date of Decision: 01.02.2022

Himanshu Bajaj

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE LALIT BATRA

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

Tejinder Singh Dhindsa, J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner claims himself to be the allottee and owner in possession of Plot/House No.1303 (P), Sector 31-32A, Gurugram.

Instant writ petition has been filed seeking a mandamus for directing respondent – Authorities to ensure that the encroachment in front of the plot/house and in violation of the approved sanctioned plan be removed forthwith.

During the course of hearing and to substantiate his assertion that there has been encroachment, counsel has adverted to memo carrying endorsement No.8949 dated 29.04.2010.

Counsel asserts that in spite of the encroachment having been noticed way back in the year 2010, no action thereafter has been taken in spite of repeated representations having been filed.

At this stage, counsel submits that he would be satisfied if directions were to be issued to the respondent-Authorities to examine the matter and to take a final decision on the legal notice dated 06.12.2021 (Annexure P-5) that has already been served.

We find the prayer made by counsel to be just and reasonable.

In view of above and without even ascertaining the correctness of the averments made in the petition, we deem it appropriate to dispose of the writ petition at the very threshold with a direction to respondent No.3 i.e. The Administrator, HUDA/HSVP, Gurugram, to examine the issue of encroachment as has been alleged and to take a final decision on the legal notice dated 06.12.2021 (Annexure P-5) expeditiously and to thereafter take necessary steps as deemed fit and in accordance with law.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

01.02.2022

D.gulati

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No