

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

122

CWP-26215-2022 (O&M).

Date of Decision: 17.11.2022.

Vidya Devi and another

..Petitioners

VERSUS

Union of India and others

.. Respondents

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

Present Mr. Amit Kaith, Advocate,
for the petitioners.

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 pay the compensation on account of demolition of common wall due to excavation activity undertaken by the allottee of the concerned plot.

It is not in dispute that the construction activity was being carried out by the private individual and was not being undertaken by the State or the agencies or instrumentalities of the State.

Resultantly, the remedy of writ Court would not be an appropriate remedy.

In view of aforesaid, learned counsel appearing on behalf of the petitioners does not press the instant petition at this stage and prays for withdrawal of the same so as to take recourse to the alternative remedies available to the petitioners, in accordance with law.

Disposed of with liberties as aforesaid.

November 17, 2022.

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(VINOD S. BHARDWAJ)

JUDGE

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No