

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

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**CWP-27031-2022 (O&M).
Date of Decision: 24.11.2022.**

Punita Attri

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Johan Kumar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred under Articles 226/227 of the Constitution of India, 1950, seeking issuance of an appropriate writ in the nature of Mandamus directing respondents No.1 to 3 to get remove illegal encroachment done by respondent No.6 at House No.1224, Ground Floor, Government Quarter, Sector 11, Panchkula, in view of Rule 22 of allotment of Haryana Government Houses situated at Chandigarh/Panchkula to Haryana Government Employees.

Learned counsel for the petitioner contends that being the employee of Haryana Government the aforesaid Government Accommodation has been allotted to respondent No.6 who has illegally and unlawfully encroached over the adjoining land of his quarter and has installed barbed wires and also planted vegetables etc. in violation of Clause 22 of the Government Accommodation Allotment Rules, 2015. He further

contends that due to above illegal act of respondent No.6 insects and including snakes etc. come out which endangers the lives of the children and old aged persons. He further contends that despite number of requests having been made respondent No.6 and a legal notice dated 18.04.2022 (Annexure P-10) having been sent by the petitioner the encroachment has not been removed, compelling the petitioner to file the present writ petition.

Learned counsel appearing on behalf of the petitioner submits that at this juncture, the petitioner would be satisfied in a case a direction is issued to the concerned authorities to decide the legal notice dated 18.04.2022 (Annexure P-10) sent by the petitioner, in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents No.1 to 3 and 5 whereas Mr. Vivek Saini, Advocate, enters appearance and accepts notice on behalf of respondent No.4-Municipal Corporation, Panchkula. They have no objection to the aforesaid prayer of the petitioner being accepted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.4 is directed to take note of the legal notice dated 18.04.2022 (Annexure P-10) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law after affording an opportunity of hearing to the respective parties and preferably within a period of three months from the date of receipt of a certified copy of this order.

Petition stands disposed of accordingly.

November 24, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No