

113 2023:PHHC:052715
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-165-2022 (O&M)
Date of decision: 17.04.2023

Gourav TanejaPetitioner
Versus
Pardeep Kumar Sabharwal, IAS and othersRespondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kanwaljit Singh, Sr. Advocate
with Mr. Ajaivir Singh, Advocate for the petitioner.

Mr. Ashok K. Bazaz, Advocate for respondent No.1.

Mr. Ajit Singh Natt, AAG, Punjab with Mr. Saurabhi
Malik, Deputy Commissioner, Ludhiana.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner alleges violation of the order 04.10.2008 passed in CWP No.4886 of 2003 and further direction dated 05.12.2016 passed in CWP No.4554 of 2016.

The petitioner is a Manager of Manju Theatre, Ludhiana and in front of said theatre, the Municipal Corporation, Ludhiana, has permitted construction of a library in the green belt, therefore, it is alleged that they have violated the general directions issued by the Writ Court that unauthorized occupation be got vacated from public land.

Separate replies on behalf of the Municipal Corporation, Ludhiana and the Deputy Commissioner, Ludhiana, filed in the Court are taken on record explaining that there is no unauthorized possession.

Both the officers are also present in the Court today itself and heard in person.

After arguing at length, counsel for the petitioner, in view of the spot inspection report by the Sub Divisional Officer (C), submits that he may be permitted to withdraw this petition with liberty to the petitioner to avail the alternative remedy, in accordance with law.

Ordered accordingly.

(ARVIND SINGH SANGWAN)
JUDGE

17.04.2023

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No