

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110+246

CM-6757-CWP-2023 IN/AND
CWP-12969-2021

Date of decision: 25.04.2023

AMRIK SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. R.M. Sharma, Advocate
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. J.S. Bhandohal, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

CM-6757-CWP-2023

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for placing on record the Voter list 1988, Voter list 2007, Ration Card 31.01.2000, Cast Certificate 1982, Receipt of increasing Load (PSEB) 17.03.2005, Voter Card 02.02.1996, Voter Card 12.08.2008 and Latest Photographs (all documents related to same house and same address) as Annexures P-19 to 26.

Application is allowed as prayed for subject to all just exceptions.

CWP-12969-2021

In compliance to the order passed by this Court, Status

**CM-6757-CWP-2023 IN/AND
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report by way of an affidavit of Jitendra Jorwal, IAS, Deputy Commissioner, Sangrur has been filed today in the Court. A copy thereof has been handed over to the counsel for the petitioner.

The present writ petition had been filed by the petitioner for seeking issuance of directions to remove the illegal drain/nalla carved out through the residential house of the petitioner by trespassing on the same.

Per contra, the stand adopted by the respondent-State is that the drain was already in existence for long and that the work undertaken was only for repair/reconstruction of the above said drain by laying down correct levels so as to avoid water logging.

Disputed questions of facts arise for determination in the present petition. The same cannot be done by a Writ Court in exercise of its powers under Article 226/227 of the Constituion of India. The present petition is accordingly disposed of as not pressed at this stage with liberty to the petitioner to take recourse to an appropriate remedy in accordance with law for securing his rights, if so advised.

**(VINOD S. BHARDWAJ)
JUDGE**

APRIL 25, 2023

Vishal sharma

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