

CWP-9545-2022 and
CWP-12889-2022

2023:PHHC:050768

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

(272)

1. CWP-9545-2022

Manoj Kumar and othersPetitioners

Versus

State of Haryana and othersRespondents

2. CWP-12889-2022

Radhe Shyam and othersPetitioners

Versus

State of Haryana and othersRespondents

Date of decision: - 12.04.2023

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sourabh Saini, Advocate
and Mr. Pawan Pardhan, Advocate
for the petitioners in CWP-9545-2022.

Mr. B.S. Rana, Senior Advocate
with Mr. Nayandeep Rana, Advocate
and Mr. Navdeep Rana, Advocate
for the petitioners in CWP-12889-2022.

Mr. Rajneesh Chadwal, AAG, Haryana.

Mr. Baldev Raj Mahajan, Senior Advocate
with Mr. Piyush Bansal, Advocate
for respondent No.5.

VIKAS BAHL, J. (ORAL)

This order shall dispose of two writ petitions bearing CWP-

9545-2022 and CWP-12889-2022.

Written statement in CWP-12889-2022 has been filed on behalf of respondent No.5 today in the Court and the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

A common grievance which has been raised in the present two writ petitions by the petitioners is that the respondents, without resorting to any legal proceedings, are forcibly trying to dispossess the petitioners from their temporary structure, which they are occupying.

Learned State counsel, on instructions from Constable Mukesh Kumar, S.P. Office, Narnaul, has submitted the application under The Public Premises (Eviction of Unauthorized Occupants) Act, 1971 has been filed by the authorities and any further action which would be taken against the petitioners would be in accordance with the order passed by the prescribed authority i.e. Sub Divisional Magistrate, Mahendergarh/competent authority. It is stated that the petitioners would not be dispossessed without following the due process of law.

Learned Senior appearing for respondent No.5-Municipal Committee, Mahendergarh has submitted that due process of law would be followed before evicting the petitioners and they would not be evicted forcibly.

Learned Senior counsel appearing on behalf of the petitioners in CWP-12889-2022 as well as learned counsel for the petitioners in CWP-9545-2022 have submitted that in view of the said statements of

learned counsel for the respondents, the present writ petitions have been rendered infructuous and the same may be disposed of as such, but have prayed that the official respondents be bound by their statements.

In view of the above, the present writ petitions are disposed of, as having been rendered infructuous.

The respondents would be bound by the statements made before this Court.

April 12, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No