

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

**CWP-17721-2022
Date of Decision: 19.01.2023.**

HARI RAM TYAGI

....Petitioner

VS

STATE OF HARYANA AND OTHERS

...Respondents

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

Present: Mr. Gaurav Tyagi, Advocate
for the petitioner.

Mr. Vivek Chauhan, AAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed under Articles 226 and 227 of the Constitution of India for seeking issuance of a writ in the nature of mandamus directing the official respondents to remove the illegal encroachment upon the Road (Sanoli Khurd Navada-Sanoli Kalan Road, District Panipat) belonging to the PWD (B&R) in pursuant to the notices dated 18.09.2019.

The petitioner, who is a resident of Sanoli Khurd and has his agricultural fields towards outside the road connecting the village Sanoli Khurd, Navada-Sanoli Kalan in District Panipat, has filed the present petition for seeking removal of an unauthorised encroachment on the Road of the PWD (B&R) by construction of houses and shops on the same by the residents of the adjacent villages. As a result of the aforesaid illegal and unauthorised encroachment of the PWD (B&R) land, the construction work of the road had to be stucked.

A status report had been filed by the Executive Engineer, Provincial Division, PWD (B&R), Panipat on behalf of respondents No. 1 to 4 wherein it has been pointed out that the Sub Divisional Engineer, Provincial Sub Division No.III, PWD (B&R), Panipat has already filed application under Sections 4, 5 and 7 of the Public Premises and Land (Eviction and Rent Recovery) Act, 1972 against 15 number of encroachers in the Court of Sub Divisional Officer, Civil, Samalkha and the proceedings are in progress.

In view of the action having been initiated, no further directions are required to be called for.

Needless to observe that the competent authority under the Public Premises and Land (Eviction and Rent Recovery) Act, 1972 shall expeditiously proceed with the matter and passed the appropriate orders in a time bound manner.

Disposed of.

(VINOD S. BHARDWAJ)
JUDGE

19.01.2023
pry

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No