

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19350-2022

Date of decision: 05.12.2023

Aadesh Sharma

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: **HON'BLE MR. JUSTICE ARUN PALLI**
 HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Ranjeet S. Chauhan, Advocate,
 for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Karan Jindal, Assistant Advocate General,
Ms. Kushaldeep Kaur, Advocate.

Mr. Vishal Garg, Advocate,
for respondents No.2, 4 and 7.

ARUN PALLI, J. (Oral)

On July 20, 2023, this Court had passed the following
order:-

*“In pursuance to the last order, affidavit has been
filed by Dr. Garima Mittal, Administrator, HSVP, Faridabad
averring that encroachment made over the road in question has
been completely removed as per the report of the Sub Divisional
Engineer (Survey) and road of full breadth is available free
from encroachment. Report of the Sub Divisional Engineer
dated 18.07.2023 has also been annexed as Annexure R-1 in
support of the same. In pursuance to the earlier replies filed,
reply has also been filed by the petitioner to the status report to
the extent that there is an encroachment over the 4 lane road
which has been reduced to a 2 lane road.*

*Since counsel for the petitioner is opposing the
factual aspect of the road having been restored to its original
position, let an affidavit be filed in support of the objections to
controvert the reply now filed by respondent Nos.2, 4 and 7.*

Adjourned to 24.08.2023.”

For the necessary affidavit, in terms of the order referred to above, was not filed on the adjourned date, the petitioner was granted last opportunity to do the needful and the matter was posted for October 10, 2023. On which date, owing to the written request circulated on behalf of learned counsel for the petitioner, the matter was adjourned to today.

Upon being pointedly asked, learned counsel for the petitioner submits that affidavit of the petitioner has not been submitted to date. However, he refers to the reply dated 03.10.2023, which was filed by him in his individual capacity.

Be that as it may and as submitted by learned counsel for the parties, for the petition at hand, which, in essence, has been filed in public interest, has served its purpose, the same is accordingly disposed of.

However, learned Additional Advocate General, Haryana, submits that in case, the petitioner still has any concern/grievance, he shall be at liberty to move the Deputy Commissioner, Faridabad (respondent No.6), by submitting a comprehensive representation, if so advised. And, in the event any such representation is made, respondent No.6 shall deal therewith, in accordance with law.

The petition is accordingly disposed of, in terms of the statement made by learned counsel for the parties.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

05.12.2023
Ak Sharma

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