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

CWP-15354-2023

Date of Decision: July 20, 2023

Brij Bhushan Bagga and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Varun Sharma, Advocate
for the petitioners.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing respondents to remove encroachments from the sanctioned public street measuring 11 feet wide which is situated just outside houses of petitioner, as reflected in the map/site plan, Annexure P-1.

It has been contended by counsel for the petitioners that regarding encroachment made in the public street, the Civil Court was approached by one of the residents against one Sushil Kumar Chumber and Civil Court vide its order dated 26.09.2022 had already directed him to remove the encroachment but despite that respondent/Municipal Council has not taken any action on the same and encroachment still persists as it is. He submits that the petitioners and other residents are being harassed due to this encroachment and thus, the same needs to be removed. It is further submitted that petitioners have already filed a representation, dated

29.05.2023, Annexure P-3, before respondent No.2, i.e. the Executive Officer, Municipal Council, Adampur, District Jalandhar, but no action has been taken on the same.

Notice of motion.

On the asking of the Court, Ms.Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

After hearing counsel for the parties and going through the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2 to decide the representation, dated 29.05.2023, Annexure P-3, in accordance with law expeditiously preferably within fifteen days from the date of receipt of certified copy of this order.

July 20, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |