

117

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

CWP-15947-2023

Date of Decision: September 05, 2023

Ravindra Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Amit Arora, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court praying for issuance of direction to official respondents to take action against respondents No.4 to 6 on the complaints, dated 10.05.2019/11.05.2019/23.05.2019, 28.06.2019 and 17.06.2023, Annexures P-4, P-5 and P-22, respectively in accordance with the provisions of Punjab Municipal Act, 1976 and the illegal encroachment of the public street by the private respondents be got removed as the same has not been done despite the categoric demarcation report by Tehsildar, Amritsar, dated 02.08.2019, Annexure P-7, and fact finding spot inspection report dated 06.12.2019 (reproduced in paragraph 16 of the writ petition) by Hon'ble Punjab State Commission for NRI regarding the illegal encroachment over the public street. It is further prayed to decide the representations/ complaints, dated 10.05.2019/11.05.2019/23.05.2019, 28.06.2019 and 17.06.2023, Annexures P-4, P-5 and P-22, within a stipulated time period.

It has been contended by learned counsel for the petitioner that petitioner has given several representations/complaints, dated 10.05.2019/11.05.2019/23.05.2019, 28.06.2019 and 17.06.2023, Annexures P-4, P-5 and P-22, to the different authorities of respondent No.3- Municipal Corporation, but no decision has been taken on the same till date.

Notice of motion.

On asking of the Court, Ms.Akshita Chauhan, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 and 2. Mr.Sarthak Soni, Advocate, appearing for Mr.Sanjeev Soni, Advocate, accepts notice on behalf of respondent No.3 whereas Mr.Anupam Bhardwaj, Advocate, accepts notice on behalf of respondents No.4 to 6.

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.3, i.e. Municipal Corporation Amritsar, to decide the representation, dated 17.06.2023, Annexure P-22, expeditiously in accordance with law preferably within one month from the date of receipt of certified copy of this order. It is made clear that the representation be decided after hearing all the parties.

September 05, 2023
meenuss

(RAJESH BHARDWAJ)
JUDGE

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