

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

CWP-18031-2023

Date of decision : 21.08.2023

Partap Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. S.L. Chander Shekhar, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the impugned order dated 16.06.2023 (Annexure P-6) passed by respondent No.2 whereby claim of the petitioner has been rejected in an arbitrary manner. Further prayer has been made for directing the official respondents to remove the illegal encroachment over the street and also to provide passage to the petitioner as per agreement to sell (Annexures P-1 and P-2).

Learned counsel for the petitioner has stated that earlier also the petitioner came to this Hon'ble High Court for the redressal of his grievance and this Court vide order dated 18.10.2022 directed respondent No.2 to decide the pending legal notice dated 05.09.2022 by passing a speaking order within a period of eight weeks from that date. In pursuance to the said order, respondent No.2 has passed the speaking order but the encroachments have still not been removed from the street.

Notice of motion.

On asking of Court, Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of the State.

Heard. Respondent No.2 vide order Annexure P-6 has decided the legal notice given by the petitioner by passing a speaking order wherein, it has been mentioned that the petitioner has tried to mislead the Court as well as District Administration by presenting the irrelevant documents. Learned Deputy Commissioner declined the legal notice and held it to be without any merit. This Court finds that when the legal notice of the petitioner has already been decided and the contents thereof has been found to be without merit, so no interference by this Court is called for. The petition is, therefore, disposed of with liberty to the petitioner to avail his remedy as available to him under law.

21.08.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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