

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18347 of 2023
Date of Decision : 22.08.2023

Sandeep Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. M. S. Dalal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of a writ in the nature of mandamus directing respondents No.2 to 4 to take cognizance of the representations dated 20.04.2023 and 20.05.2023 (Annexures P-3 and P-4), respectively, further act upon the same in a time bound manner, by at first holding an enquiry with regard to illegal construction/encroachment on village Phirni situated in Khewat No.740 area measuring 233 Kanal 1 Marla of village Murtzapur, Tehsil Pehowa, District Kurukshetra and taking appropriate action against erring officials as well as other persons/encroachers, in lieu of Sections 46, 47 and 51 of Haryana Panchayati Raj Act, 1994.

It has been contended by learned counsel for the petitioner that the petitioner is resident of village Murtzapur, Tehsil Pehowa, District Kurukshetra. He submits that land comprised in Khewat No.740 comprised in various khasra numbers have been reserved during consolidation and

being used by all the villagers as Phirni i.e. outer road of the village. He has levelled allegations against respondent No.6-Sarpanch that he in collusion with certain persons is bent upon to destroy the said Phirni of the village. He submits that the petitioner has requested the Sarpanch regarding the encroachment made by the villagers but no action has been taken on the same. He has placed on record some photographs for substantiating his allegations as Annexure P-2(1). Besides this, he submits that representations dated 20.04.2023 and 20.05.2023 have been filed before respondent No.2 for the redressal of his grievances, but no action has been taken on the same till date.

On perusal of the photographs, the allegations as levelled in the petition appears to be without any substance on record. Thus, in the facts and circumstances of the case, this Court does not find any force in the contentions raised by learned counsel for the petitioner before this Court.

Consequently, the present petition is disposed of with liberty to the petitioner to avail his alternative remedy, if so advised, in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

22.08.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No