

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8835 of 2018
Date of Decision : 13.09.2023

Om Parkash

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Nonish Kumar, Advocate
for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana.

Ms. Gehna Vaishnavi, Advocate for
Mr. Parveen Mehta, Advocate
for respondents No.4 and 5.

Mr. Pardeep Solath, Advocate
for respondent No.6.

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 5 to take appropriate action against respondent No.6 as per the representation (Annexure P-6) of the petitioner and to register an FIR against respondent No.6 for encroaching upon the municipal committee land and as per the order of respondent No.5 dated 17.01.2018.

It has been contended by learned counsel for the petitioner that there is an encroachment on the land of the municipal committee. He submits that for the redressal of his grievance, the petitioner approached the respondents-authorities number of times but no action has been taken.

He also submits that the petitioner filed representation dated 16.02.2018 (Annexure P-6) for taking appropriate action for removal of the encroachment but nothing has been done till date.

Notice of motion was issued in this case and respondents were directed to file the reply. In response to the same, respondents have filed their respective replies.

Learned counsel appearing on behalf of respondents No.4 & 5 has controverted the contentions raised by learned counsel for the petitioner. She has drawn attention of this Court to the reply filed and has submitted that the representation filed by the petitioner dated 16.12.2018 (Annexure P-6) was duly verified and on the basis of the same, it was found that there is no encroachment on the plot situated in Khatoni No.8003, Khasra No.1586 (2-3) of the municipal committee. She submits that as the allegations made in the representation were found false, the present petition deserves to be dismissed.

I have heard learned counsel for the parties and perused the record.

After hearing learned counsel for the parties and perusing the record, it is apparent that allegations of the petitioner were duly verified but no encroachment was found on the land as alleged.

In view of the above, the present petition being devoid of any merit is hereby dismissed.

13.09.2023
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(RAJESH BHARDWAJ)
JUDGE

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