

Naresh Kumar and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sushil Jain, Advocate, for the petitioners.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for quashing the impugned action of the respondent authorities, whereby, the respondent authorities without taking any appropriate legal action against the private respondents i.e. respondents No.6 and 7 had allowed them to encroach upon the Pucca Road/rasta from village Jharsa (Gurugram) to village Samaspur (Gurugram) and further permitted them to raise illegal constructions on the rasta meant for the residents of the village, the aforesaid action of the respondents is totally illegally, arbitrary and not sustainable in the eyes of law; prayer has also been made to direct respondents No.1 and 2 to immediately take appropriate legal action against the defaulting officials of respondents No.3 and 4, who in connivance with the respondents No.6 and 7 had allowed to them to raise illegal construction by encroaching upon the rasta meant for residents of the village and allowed them to raise further constructions of a commercial building and further to remove the illegal construction from the said rasta and the said rasta be made free from the said encroachment and to restore the same to its original condition and further prayer has been made to take appropriate legal action on the various representations dated 28.10.2022 (Annexure P-3), 05.06.2023 (Annexure P-6) and 11.07.2023 (Annexure P-8), as till date none of the authorities had taken any appropriate action on the said representations.

Learned counsel for the petitioners has submitted that the petitioners have filed representation dated 05.06.2023 (Annexure P-6) before respondent No.3, however, no action has been taken till date.

Notice of motion to the officials respondents only.

Ms. Upasana Dhawan, Assistant Advocate General, Haryana, accepts notice on behalf of the State.

The present petition is disposed of with a direction to respondent No.3 i.e. the Commissioner, Municipal Corporation, Gurugram to decide the representation dated 05.06.2023 (Annexure P-6) filed by the petitioners in accordance with law within a period of four weeks from today.

(RAJESH BHARDWAJ)
JUDGE

03.10.2023
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No