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

CWP-26651-2022

Date of decision : 20.02.2023

Sham Lal Arora

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Yogesh Kumar Aneja, Advocate for the petitioner.

Mr. Mavpreet Singh, DAG, Punjab.

Mr. Sanjeev Soni, Advocate and
Mr. Sarthak Soni, Advocate for respondent No.2.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing official respondent Nos.2 and 3 for taking strict action against respondent No.4 as he has illegally constructed long ramps in the public street by way of encroachment and with further issuance of directions to respondent Nos.2 and 3 to remove the illegal construction raised by respondent No.4.

Learned counsel for the petitioner has submitted that with respect to grievance detailed in the present Civil Writ Petition, the petitioner had given a representation/legal notice dated 27.10.2022 (Annexure P-7) to the respondents including Municipal Council, UMC, Fazilka, in which, it had been stated that earlier respondent No.4 had filed a writ petition for removing the

ramp made in front of house of the petitioner and in pursuance of the same, ramp in front of house of the petitioner, which is 4½ feet in length, was removed. It has further been stated that ramp in front of house of respondent No.4 is 5½ feet and the same also deserves to be removed.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case, respondent No.2 takes a decision on the said representation/legal notice dated 27.10.2022 (Annexure P-7) within a time bound period.

On the other hand, learned counsel for respondent No.2 has submitted that final decision on the said representation/legal notice dated 27.10.2022 (Annexure P-7) would be taken within a period of one month from today and action, in accordance with law in pursuance of the same would also be taken in case any encroachment is found.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to respondent No.2 to decide representation/legal notice dated 27.10.2022 (Annexure P-7) within a period of one month from today and in case, any action is required to be taken, then the same be taken, in accordance with law.

It is made clear that this Court has not opined on the merits of the case of the petitioner and the said legal notice would be considered by respondent No.2 independently, on its merits, in accordance with law.

20.02.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**