

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.25894 of 2023
Date of decision : 17.11.2023

Spangle Heights Apartment Owners Association, Dhakoli
..... Petitioner

Versus

State of Punjab and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vishal Sharma, Advocate with
Ms. Prabhjot Kaur, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for issuance of directions to respondents No.1 and 2 to grant temporary shed permission to the petitioner in terms of permission already granted to similar class of person for covering the Open Singh Nalla vide permission letter dated 18.02.2019 (Annexure P-4) as an interim measure to safeguard the right to life with human dignity conferred to the petitioner and their children despite paying all taxes and dues which is their constitutional right under Article 21 and obligation of the State in terms of Article 12 read with Section 31(1), 47, 48-A by taking immediate action by deciding the representation dated 01.07.2023 (Annexure P-2) within time bound manner and taking action on their own letter dated 12.07.2023 (Annexure P-5). Further prayer has been made for directing respondents to formalize any scheme for permanent

solution of covering of said Nalla as per policies of the State Government of Punjab if any applicable.

Learned counsel for the petitioner has submitted before this Court that the petitioner has already filed a representation dated 01.07.2023 (Annexure P-2) for the redressal of his grievance before respondent No.2 but no action has been taken on the same till date.

Notice of motion to the official respondents at this stage.

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

A perusal of file shows that representation dated 01.07.2023 (Annexure P-2) was filed before the Executive Engineer, Patiala Drainage Division, Patiala (Punjab) whereas respondent No.2 is Executive Engineer, Department of Water Supply & Sanitization, SAS Nagar, Mohali.

In view of the above position, it is ordered that in case the petitioner files a detailed representation before respondent No.2 within a period of one week from today, then respondent No.2 is directed to decide the same in accordance with law within a period of one month from the date of filing of the representation.

Petition stands disposed of accordingly.

(RAJESH BHARDWAJ)
JUDGE

17.11.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No