

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

CWP-25125-2023

Date of decision : 07.11.2023

Pyare Lal

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Pankaj Bali, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of directions to respondents not to demolish the shop of petitioner on the basis of notification dated 04.03.2013 (Annexure P-2) as the construction of the petitioner is away from the boundary of the Patiala Ki Rao Choo and the construction of the petitioner is no way causing any kind of obstruction in the natural flow of the said choo. Further prayer has been made that Local Commissioner, may kindly be appointed by this Court to verify the true picture of the case in hand, as to whether the petitioner is obstructing the Patiala Ki Rao Choo (Seasonal Stream) by raising the said construction.

Learned counsel for the petitioner has submitted that the similarly situated persons had already approached this Court by way of filing CWP-21377-2023 wherein this Court has disposed of the petition vide order dated 25.09.2023. He submits that the petitioner is a poor person who is running a shop and same is to be demolished by the respondents. He prays that as the petitioner is at par with the petitioners in

CWP-21377-2023, direction be issued to the respondents in the same terms.

Notice of motion.

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

Heard. Keeping in view the overall facts and circumstances of the case, the present petition is disposed of with a direction to the petitioner to file his objections before respondent No.2 within ten days from today. In case the petitioner files any such objection for redressal of his grievance, respondent No.2 would decide the same within two weeks from the date of receipt of such objections. Needless to say that if petitioner does not appear before respondent No.2 within ten days alongwith objections, this order would be of no avail to him.

However, no coercive action be taken by the respondents before decision of the objections of the petitioners, if any filed within ten days from today, if no demolition, as on date, has been conducted.

Disposed of in the above terms.

07.11.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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