



(218)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-PIL-104-2024 (O&M)
Date of decision:- 27.11.2024

Sewa Singh Rai
...Petitioner(s)
Versus
Union of India and others
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Atul Sharma, Advocate,
Mr. Tegjeet Singh, Advocate,
for the petitioner.
Ms. Promila Nain, Senior Panel Counsel (Union of India),
Ms. Isha Dhingra, Advocate,
for respondent No. 1.
Mr. Salil Sabhlok, Senior Deputy Advocate General, Punjab.
Mr. Rakesh Kumar, Advocate,
for respondent No. 6.
Mr. Ghulam Nabi Malik, Advocate,
for respondent No. 7.

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SHEEL NAGU, C.J. (ORAL)

1. The present petition has been filed by the petitioner as Public Interest Litigation raising the alleged public cause which is dual in nature.
2. The first grievance is that the piece of land which is being used as a customary grave-yard has been usurped by respondents No. 5 and 6 for construction of illegal colonization.

The other grievance is that certain persons who are not eligible to receive wages are being paid wages under the MGNREGA Scheme despite being close relatives of respondent No. 6 (Sarpanch).



3. The Mahatma Gandhi National Rural Employment Guarantee Act, 2005 provides for a grievance redressal mechanism in clause 29.
4. In view of the above alternative remedy available to the petitioner, which is statutory in nature, the petitioner is free to avail the same by filing an appropriate application/appeal which, if filed within a period of 15 days, shall be considered and decided by the concerned competent authority by passing a speaking order within a further period of two months.
5. As regards the first grievance of the petitioner in regard to the grave-yard being encroached upon, learned counsel appearing for respondent No. 7 –Punjab Waqf Board is ready and willing to air the grievance of the Waqf Board, which claims the said grave-yard to be registered in its name, before the Waqf Tribunal.
6. Since both the grievances of the petitioner have been redressed, no useful purpose would be served to keep this petition pending any further.
7. The petition, accordingly, stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

27.11.2024
Amodh Sharma

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