

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

CWP-9336-2024

Date of decision: 25.04.2024

Lovekesh Kumar

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Atul Goyal, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Mandamus is prayed for commanding the respondents to cease the construction that is being carried out upon a site measuring 258 x 66.6 feet, which is earmarked for parking of vehicles of vegetable vendors, commission agents etc.

Learned counsel for the petitioner, in reference to the lay out plan (P-1), submits that the site in question was specifically reserved for parking. However, it has now been converted into the sheds to be used for 'PIRS' for commission agents at New Sabzi Mandi, Sri Muktsar Sahib. Thus, the action of the respondent authorities is in apparent violation of the lay out plan. It is urged that prior to the institution of the petition, the petitioner had even served the respondent authorities with a representation dated 17.04.2024 (P-3), but to no avail.

Served with the advance copy of the petition, Mr. Jastej Singh, learned Deputy Advocate General, Punjab, is present in Court. At the outset, he vehemently disputes the claim of the petitioner. And submits that petitioner does not have even locus to approach this Court, for he has no right/title/interest over the site in question. Be that as it may, he submits, for the competent authority is already in seisin of the concerns/grievances of the petitioner, as sought to be raised in this petition, as also the representation (*ibid*), it would be expedient if this

petition is disposed of, to enable the authorities to deal therewith and pass necessary orders, in accordance with law.

Learned counsel for the petitioner is in agreement with the course suggested by learned State counsel and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to take a final decision in the matter, within a specified time.

In response, learned State counsel submits that appropriate orders shall be passed within a period of eight weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And a comprehensive order, citing reasons in support thereof, shall be passed within the time indicated by learned State counsel.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

25.04.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No