

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

**CWP-13187-2022 (O&M)
Date of decision : 15.02.2024**

Hardev Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rishu Garg, Advocate for the petitioner.

Mr. Tribhawan Singla, Sr. D.A.G., Punjab.

Mr. Baldev S. Sidhu, Advocate
for respondents No.7 & 8.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of writ in the nature of mandamus directing the respondents to do the construction work of the Public street in view of letter dated 04.01.2022 (Annexure P-3) passed by Block Development and Panchayat Officer, while deciding the representation dated 24.01.2022 (Annexure P-4) & Complaint dated 14.03.2022 (Annexure P-5), as the construction of streets has not been started till date whereas the same was approved vide resolution dated 30.09.2021 (Annexure P-1) thereafter, the estimate of the same has also been got prepared by the concerned authorities.

Learned counsel for the petitioner has submitted that street of the petitioner's house is not paved by the Gram Panchayat due to which the inhabitants of the village suffer a lot of problems and it is very difficult to cross the street in the rainy days and there is always a fear of spreading of diseases. However, after a lot of efforts by the School authorities and the petitioner, respondent No.7-Sarpanch, passed the resolution for constructions of the Street and thereafter, BDPO vide his

CWP-13187-2022

letter dated 04.01.2022 permitted the construction work of the street from the Panchayat funds received under the Punjab Development Scheme.

On the other hand, learned State counsel has drawn the attention of this Court to the reply filed by way of affidavit of Mr. Sukhdeep Singh, Block Development and Panchayat Officer, Mehal Kalan, District Barnala, from which it is apparent that the street in front of the house of the petitioner has already been made *pucca* with bricks and from the phirni of the village upto the main gate of school, there is metalled bitumen road already in existence and it does not fall under any government scheme and thus, the Panchayat received the grants for specific works which cannot be used for this purpose.

Learned counsel for respondents No.7 & 8 has also supported the submissions made by learned State counsel and has stated that nothing survives in the present petition as the grievance of the petitioner already stands redressed.

In view of the reply filed by the State and the submissions made by learned counsel for the parties, this Court does not find any merit in the present petition and the same is hereby dismissed. However, the petitioner would be at liberty to avail his remedies in accordance with law, if any further cause of action survives with him.

All the pending applications also stand disposed of.

15.02.2024
ps-I

(RAJESH BHARDWAJ)
JUDGE

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